

## **Timeline: How the Obama Administration Bypassed Congress to Dismantle Immigration Enforcement**

*In September 2011, President Obama said, “We live in a democracy. You have to pass bills through the legislature, and then I can sign it.” Yet, since that time, and indeed before then, he has systematically voided existing laws and unilaterally created new measures that Congress has refused to adopt under either Democratic or Republican control.*

*Most recently, the President announced he would do what he once said only an “emperor” could do – grant unilateral amnesty, work permits, and access to government benefits to more than five million illegal immigrants. This unprecedented action, combined with new “enforcement priorities” for Department of Homeland Security personnel that exempt the vast majority of illegal immigrants from the threat of removal, the Deferred Action for Childhood Arrivals directive, the “Morton” memos, and numerous other lesser-reported but far-reaching Executive actions, has threatened not only our constitutional system, but our national sovereignty. Indeed, the idea of national, sovereign borders is being daily eviscerated by the President’s determination to write his own immigration rules in defiance of Congress and the American people.*

*Below is a detailed timeline of how the Obama Administration systematically dismantled immigration enforcement, undermining the very rule of law upon which our nation was founded and upon which its greatness depends.*

### **January 2009: Obama Administration Ends Worksite Enforcement Actions**

In early 2009, U.S. Immigration and Customs Enforcement (ICE) executes a raid (initiated and planned under the Bush Administration) on an engine machine shop in Bellingham, Washington, detaining 28 illegal immigrants who were using fake Social Security numbers and identity documents. Shortly thereafter, pro-amnesty groups criticized the Administration for enforcing the law. An unnamed DHS official is quoted in the [\*Washington Times\*](#) as saying, “the Secretary is not happy about it and this is not her policy.” Instead of enforcing the law, the Secretary investigates the ICE agents for simply doing their duty. Esther Olavarria, Deputy Assistant Secretary of Homeland Security, says on a call with employers and pro-amnesty groups that “we’re not doing raids or audits under this administration.”

*Important note: Source material and documentation for each timeline entry is contained in the hyperlinks for that specific entry. If you are viewing the timeline in printed form, please contact the Senate Subcommittee on Immigration and the National Interest to receive the source information.*

### **January 29, 2009: Secretary of Homeland Security Janet Napolitano Delays E-Verify Deadline**

Former Secretary of Homeland Security Janet Napolitano [delays](#) the original deadlines for federal contractors to use the E-Verify system, from January 15, 2009, and February 20, 2009, to May 21, 2009.

### **April 16, 2009: Secretary Napolitano Delays E-Verify Deadline a Second Time**

Secretary Napolitano again [delays](#) the deadline for federal contractors to use E-Verify, this time to June 30, 2009.

### **June 3, 2009: Secretary Napolitano Delays E-Verify Deadline a Third Time**

For the third time, Secretary Napolitano [delays](#) the deadline for federal contractors to use E-Verify to September 8, 2009.

### **March 8, 2010: ICE Inflates Deportation Statistics**

According to the [Washington Post](#): “Months after reporting that the number of illegal immigrants removed by U.S. Immigration and Customs Enforcement increased 47 percent during President Obama’s first year in office, the Department of Homeland Security on Monday corrected the record, saying the actual increase in those deported and ‘voluntary departures’ was 5 percent.”

### **March 16, 2010: DHS Announces Termination of Funding for Virtual Fence along Southwestern Border**

Secretary Napolitano [announces](#) that, effective immediately, DHS would redeploy \$50 million of stimulus funding originally allocated for virtual fence technology because “the system of sensors and cameras along the Southwest border known as SBInet has been plagued with cost overruns and missed deadlines.”

### **May 19, 2010: ICE Director John Morton Announces Termination of Cooperation with Arizona Law Enforcement**

In an interview with the [Chicago Tribune](#), the former Director of ICE, John Morton, states that ICE will not even process or accept illegal immigrants transferred to ICE custody by Arizona law enforcement, largely because the Obama Administration disagrees with Arizona’s immigration law, which made it a crime to be in the state illegally and required police to check suspects for immigration documents.

### **May 27, 2010: Internal ICE Emails Reveal Relaxed Security and New Benefits for Detained Illegal Immigrants**

Internal ICE emails [reveal](#) that “low-risk” immigration detainees will be able to have visitors stay for an unlimited amount of time during a 12-hour window, be given access

to unmonitored phone lines, email, free internet calling, movie nights, bingo, arts and crafts, dance and cooking classes, tutoring, and computer training.

### **June 18, 2010: Obama Administration Sues Arizona over Immigration Enforcement Law**

The Obama Administration [announces](#) that it will sue Arizona to block the implementation of the state's immigration enforcement law.

### **June 25, 2010: ICE Union Casts Unanimous Vote of "No Confidence" in Agency Leadership**

The National ICE Council, the union representing more than 7,000 agents and officers, casts a unanimous vote of ["No Confidence"](#) in ICE Director Morton and Assistant Director Phyllis Coven, citing "the growing dissatisfaction and concern among ICE employees and Union Leaders that Director Morton and Assistant Director Coven have abandoned the Agency's core mission of enforcing United States Immigration Laws and providing for public safety, and have instead directed their attention to campaigning for programs and policies related to amnesty." The union lists some of the policies that led to the vote of No Confidence:

- "Senior ICE leadership dedicates more time to campaigning for immigration reforms aimed at large scale amnesty legislation, than advising the American public and Federal lawmakers on the severity of the illegal immigration problem . . . ICE [Enforcement and Removal Operations are] currently overwhelmed by the massive criminal alien problem in the United States resulting in the large-scale release of criminals back into local communities."
- "Criminal aliens openly brag to ICE officers that they are taking advantage of the broken immigration system and will be back in the United States within days to commit crimes, while United States citizens arrested for the same offenses serve prison sentences. . . . Thousands of other criminal aliens are released to ICE without being tried for their criminal charges. ICE senior leadership is aware that the system is broken, yet refuses to alert Congress to the severity of the situation . . ."
- "ICE is misleading the American public with regard to the effectiveness of criminal enforcement programs like the ICE 'Secure Communities Program' using it as a selling point to move forward with amnesty related legislation."
- "While ICE reports internally that more than 90 percent of ICE detainees are first encountered by ICE in jails after they are arrested by local police for criminal charges, ICE senior leadership misrepresents this information publicly in order to portray ICE detainees as being non-criminal in nature to support the Administration's position on amnesty and relaxed security at ICE detention facilities."
- "The majority of ICE ERO Officers are prohibited from making street arrests or enforcing United States immigration laws outside of the institutional (jail) setting."

This has effectively created ‘amnesty through policy’ for anyone illegally in the United States who has not been arrested by another agency for a criminal violation.”

- “ICE Detention Reforms have transformed into a detention system aimed at providing resort like living conditions to criminal aliens. Senior ICE leadership excluded ICE officers and field managers (the technical experts on ICE detention) from the development of these reforms, and instead solicited recommendations from special interest groups. . . . Unlike any other agency in the nation, ICE officers will be prevented from searching detainees housed in ICE facilities allowing weapons, drugs and other contraband into detention centers putting detainees, ICE officers and contract guards at risk.”

#### **July 14, 2010: Obama Administration Ignores Dangerous Sanctuary City Policies**

Less than a week after suing Arizona to block its immigration law, the Department of Justice [announces](#) that it will not take legal action against sanctuary cities, with a spokeswoman stating: “There is a big difference between a state or locality saying they are not going to use their resources to enforce a federal law, as so-called sanctuary cities have done, and a state passing its own immigration policy that actively interferes with federal law.”

#### **July 30, 2010: Leaked U.S. Citizenship and Immigration Services (USCIS) Memo Reveals Obama Backdoor Amnesty Plan**

A leaked USCIS [memo](#) to agency Director Alejandro Mayorkas details the Obama administration’s plan to bypass Congress and grant amnesty by executive fiat. The memo, entitled “Administrative Alternatives to Comprehensive Immigration Reform,” suggests a number of unilateral actions to “reduce the threat of removal for certain individuals present in the United States without authorization” and “extend benefits and/or protections to many individuals and groups,” including many that Obama has since implemented and many that appeared in the Senate comprehensive immigration bill ([S. 744](#), 113<sup>th</sup> Congress).

#### **August 2010: ICE Memo Stops Agents from Detaining Illegal Immigrants During Traffic Stops**

In August 2010, ICE begins internally circulating a [draft policy](#) that would significantly limit the circumstances under which ICE could detain illegal immigrants. In effect, ICE agents are no longer authorized to stop/detain an illegal immigrant for illegally entering the country or for possessing false identification documents. Now, illegal immigrants can be detained only if another law enforcement agency makes an arrest for a criminal violation.

### **August 24, 2010: DHS Begins Closing and Dismissing Deportation Cases**

The [Houston Chronicle](#) reports that DHS has begun “systematically reviewing thousands of pending immigration cases and moving to dismiss those filed against suspected illegal immigrants without serious criminal records.”

### **September 8, 2010: Obama Administration Files Supreme Court Brief Supporting Challenge to Arizona’s E-Verify Law**

The Obama Administration [argues](#) that the Supreme Court should strike down Arizona’s 2007 E-Verify law—a law enacted by the state’s former Governor, and the current Secretary of Homeland Security, Janet Napolitano. The law required all employers in the state to use E-Verify and revoked business licenses of those who hired illegal workers. The Supreme Court [upholds](#) the law in May 2011, finding that it was not preempted, because “although Congress had made the program voluntary at the national level, it had expressed no intent to prevent States from mandating participation.”

### **September 16, 2010: Leaked DHS Memo Reveals President Obama’s Long-Term Plan to Circumvent Congress and Grant “Broad Based” Amnesty**

A leaked 10-page [memo](#), dated February 26, 2010, details how the Obama administration had “long envisioned” a two-phase “broad based” amnesty plan “legalizing those who qualify and intend to stay here.” The memo states that “during Phase 1, eligible applicants would be registered, fingerprinted, screened and considered for an interim status that allows them to work in the U.S. . . . During Phase 2, applicants who had fulfilled additional statutory requirements would be permitted to become lawful permanent residents [i.e., obtain green cards].” The memo asserts that the Administration could proceed “in the absence of legislation,” *e.g.*, deferred action; deferred enforced departure; waiver of inadmissibility for certain illegal immigrants; parole-in-place. Remarkably, the memo contemplates the pros and cons of such unprecedented executive action:

- “A registration program can be messaged as a security measure to bring illegal immigrants out of the shadows.”
- “A bold administrative program would transform the political landscape by using administrative measures to sidestep the current state of Congressional gridlock and inertia.”
- “The Secretary would face criticism that she is abdicating her charge to enforce the immigration laws. Internal complaints of this type from career DHS officers are likely and may also be used in the press to bolster criticism.”
- “Even many who have supported a legislated legalization program may question the legitimacy of trying to accomplish the same end via administrative action, particularly after five years where the two parties have treated this as a matter to be decided in Congress.”

- “A program that reaches the entire population targeted for legalization would represent use of deferred action far beyond its limited class-based uses in the past (e.g. for widows). Congress may react by amending the statute to bar or greatly trim back on deferred action authority, blocking its use even for its highly important current uses in limited cases.”
- “Congress could also simply negate the grant of deferred action (which by its nature is temporary and revocable) to this population. If criticism about the legitimacy of the program gain[s] traction, many supporters of legalization may find it hard to vote against such a bill.”
- “The proposed timeline would require a rapid expansion of USCIS’s current application intake capacity. Significant upfront resources would be needed for hiring, training, facilities expansion and technology acquisition, and the only realistic prospect of a source of funding may be a new appropriation.”
- “Immigration reform is a lightning rod that many Members of Congress would rather avoid. An administrative solution could dampen future efforts for comprehensive reform and sideline the issue in Congress indefinitely.”
- “Done right, a combination of benefit and enforcement-related administrative measures could provide the Administration with a clear-cut political win. If the Administration loses control of the message, however, an aggressive administrative proposal carries significant political risk.”
- “More ambitious measures would have to be carefully timed. We would need to give the legislative process enough time to play out to deflect against charges of usurping congressional authority. . . . This is likely to mean that the right time for administrative action will be late summer or fall [2010]—when the midterm election is in full-swing.”
- “The President could make the case that the nation’s economic and national security can wait no longer for Congress. Administrative action is necessary to restore [sic] rule of law by ending illegal hiring, requiring individuals who are unlawfully present to pass background checks or get deported, and guaranteeing that all employers and workers are paying their fair share of taxes. Clearing backlogs of family-based visas would be an added bonus.”
- “If the American public reacts poorly to an administrative registration effort, Congress could be motivated to enact legislation tying the Administration’s hands. This could result, in the worst case scenario, in legislation that diminishes the Secretary’s discretion to use parole or deferred action in other contexts. A heated fight could also poison the atmosphere for any future legislative reform effort.”

#### **October 17, 2010: DHS Dismissals of Deportation Cases Up 700 Percent**

The [\*Houston Chronicle\*](#) reports that the government dismissed, on its own motion, hundreds of deportation cases—up 700 percent between July and August 2010. The

article states that “government attorneys in Houston were instructed to exercise prosecutorial discretion on a case-by-case basis for illegal immigrants who have lived in the U.S. for at least two years and have no serious criminal history.”

#### **December 2010: Internal ICE Emails Reveal Padded Deportation Statistics**

On October 8, 2010, Secretary Napolitano and ICE Director Morton [announced](#) that in 2010, ICE had “removed more illegal aliens than in any other period in the history of our nation.” On December 6, 2010, however, the [Washington Post](#) reports that internal ICE emails show that ICE padded its deportation statistics by including 19,422 removals from the previous fiscal year. The article also describes how ICE extended a Mexican repatriation program beyond its normal operation dates, adding 6,500 to its final removal numbers.

#### **February 15, 2011: DHS Ignores Mandate to Maintain Operational Control of Border**

During a hearing before the House Subcommittee on Border and Maritime Security, Chair Candice Miller [announces](#) that, according to the Government Accountability Office (GAO), U.S. Customs and Border Protection maintains operational control of only 69 of the roughly 4,000 miles along the northern border and only 873 of the almost 2,000 miles along the southwestern border. Under the [Secure Fence Act of 2006](#), Congress required DHS to achieve and maintain operational control, which is defined as “the prevention of all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband.”

#### **March 2, 2011: Morton Amnesty Memo #1**

In the [first](#) of a series of memos, ICE Director Morton outlines new enforcement “priorities”—convicted criminals, terrorists, gang members, recent illegal entrants, and fugitives. The memo encourages ICE employees to exercise prosecutorial discretion for illegal immigrants who do not meet these “priorities,” and directs ICE field office directors to not “expend detention resources” on certain illegal immigrants.

#### **March 30, 2011: 9/11 Commission Chair Warns that Obama Administration’s Delay of Implementation of Biometric Exit System and REAL ID Act Risk National Security**

Testifying before the [Senate Homeland Security Committee](#), 9/11 Commission Chairman Thomas Kean warns that “border security remains a top national security priority, because there is an indisputable nexus between terrorist operations and terrorist travel. Foreign-born terrorists have continued to exploit our border vulnerabilities to gain access to the United States.” In his testimony, he highlights two programs that the Obama Administration has delayed:



“[F]ull deployment of the biometric exit component of US-VISIT should be a high priority. If law enforcement and intelligence officials had known for certain in August and September 2001 that 9/11 hijackers Nawaf al-Hazmi and Khalid al-Mihdhar remained in the U.S., the search for them might have taken on greater urgency.”

...

“[N]o further delay [in compliance with the REAL ID Act] should be authorized, rather compliance should be accelerated.”

### **May 10, 2011: President Obama Declares Border Secure and Border Fence “Basically Complete”**

In a [speech](#) in El Paso, Texas, Obama claims that his administration has “strengthened border security beyond what many believed was possible” and that the border fence “is now basically complete,” despite the fact that only 33.7 miles of the 700 miles of fence mandated by the Secure Fence Act of 2006 had been completed by that time. Chairman of the House Homeland Security Committee Michael McCaul responds, [stating](#) “the border is not secure and it has never been more violent or dangerous. Anyone who lives down there will tell you that.”

### **June 1, 2011: Obama Administration Ignores New York’s Refusal to Cooperate with Federal Immigration Agents**

New York Governor Andrew Cuomo [announces](#) he is suspending New York’s participation in the Secure Communities program, which allows law enforcement agencies to run the fingerprints of those arrested against immigration databases, because of “its impact on families, immigrant communities and law enforcement in New York.” The Obama Administration takes no action.

### **June 17, 2011: Morton Amnesty Memos #2 and #3**

ICE Director Morton issues a second [memo](#) further directing ICE agents not to enforce the law against certain segments of the illegal immigrant population, including those who would qualify for the DREAM Act, despite having no legal authority to do so and despite the fact that Congress had explicitly rejected the legislation three times. On the same day, Morton also issues a third [memo](#) instructing ICE personnel to refrain from enforcing the law against individuals engaging in “protected activity” related to civil or other rights (for example, union organizing or complaining to authorities about employment discrimination or housing conditions).



### **June 23, 2011: ICE Union Outraged Over Morton Amnesty Memos**

The ICE union issues a [press release](#) expressing outrage over Director Morton's actions, stating: "Unable to pass its immigration agenda through legislation, the Administration is now implementing it through agency policy." The release further states that ICE leadership and the Administration "have excluded our union and our agents from the entire process of developing policies, it was all kept secret from us, we found out from the newspapers. ICE [leadership] worked hand-in-hand with immigrants rights groups, but excluded its own officers." Describing ICE policy as a "law enforcement nightmare," union president Chris Crane states "the result is a means for every person here illegally to avoid arrest or detention, as officers we will never know who we can or cannot arrest." The release concludes: "we are asking everyone to please email or call your Congressman and Senators immediately and ask them to help stop what's happening at ICE, we desperately need your help."

### **June 27, 2011: DHS Cover-Up of Backdoor Amnesty Policy Revealed**

The [Houston Chronicle](#) reports that internal ICE emails and memos show that DHS "officials misled the public and Congress in an effort to downplay a wave of immigration case dismissals in Houston and other cities that they had created a 'back-door amnesty.'" These internal emails and memos revealed that this backdoor amnesty was instituted and encouraged at the direction of top ICE officials, including Riah Ramlogan, a high-ranking attorney at ICE subsequently named in a lawsuit by an award-winning ICE attorney in November 2014. In one instance, DHS Assistant Secretary for Legislative Affairs Nelson Peacock wrote a letter to several members of the Senate Judiciary Committee denying the existence of a directive "instructing ICE attorneys to seek the dismissals of immigration proceedings involving certain classes of criminal aliens"—a directive which not only existed, but had been praised by senior ICE officials.

### **August 1, 2011: Obama Administration Sues Alabama over Immigration Enforcement Law**

The Obama Administration [files](#) a lawsuit to block implementation of Alabama's immigration enforcement law, which authorizes state law enforcement to act when they reasonably suspect individuals are violating federal immigration laws.

### **August 18, 2011: Obama Administration Begins Review of Deportation Cases for Purposes of Granting Executive Amnesty**

In a [letter](#) to Senate Majority Leader Harry Reid, Secretary Napolitano announces that the Obama Administration had begun a review of all pending and incoming deportation cases and will stop proceedings against those illegal immigrants who do not meet administration "priorities."

### **September 2, 2011: Treasury Inspector General Reports Government Paying Billions in Tax Credits to Illegal Immigrants**

A [report](#) by the Treasury Inspector General for Tax Administration (TIGTA) reveals that the IRS paid out a staggering \$4.2 billion in refundable tax credits to illegal immigrants via the Additional Child Tax Credit (ACTC) in 2010. The inspector general states: “Millions of people are seeking this tax credit who, we believe, are not entitled to it. We have made recommendations to the IRS as to how they could address this, and they have not taken sufficient action in our view to solve this problem.” The report further states that “the payment of Federal funds through this tax benefit appears to provide an additional incentive for aliens to enter, reside, and work in the United States without authorization, which contradicts Federal law and policy to remove such incentives.”

### **September 7, 2011: Cook County (Chicago), Illinois Board of Commissioners Votes to Ignore Federal Immigration Law**

The Cook County Board of Commissioners passes an [ordinance](#) directing local law enforcement to refuse ICE detainer requests and access to individuals or County facilities. While ICE Director Morton acknowledges that the ordinance poses a serious threat to public safety and likely violates federal law, the Administration’s only action is to offer to pay Cook County to honor the detainers and to set up a “working group,” both of which the Board [rejects](#). ICE’s Executive Associate Director of Enforcement and Removal Operations says the policy presents a major problem for enforcement efforts and is an “accident waiting to happen.”

- In June 2011, Saul Chavez, who had a prior DUI conviction, was driving with a blood-alcohol content of nearly four times the legal limit when he hits and kills 66-year-old William “Dennis” McCann. While attempting to escape, Chavez drove his car over McCann’s body, dragging him 200 yards before a witness stopped his vehicle. Chavez was charged with two felonies, and ICE issued a detainer asking Cook County to hold him until he could be taken into federal custody. But, pursuant to Cook County’s new anti-detainer law, he was released when he posted 10 percent of his \$250,000 bail. He has since disappeared and is believed to have fled the country.

### **September 28, 2011: President Obama Admits Deportation Statistics are “Deceptive”**

At a [roundtable](#) with amnesty advocates, President Obama admits that his deportation statistics are misleading: “The statistics are actually a little deceptive because what we’ve been doing is . . . apprehending folks at the borders and sending them back. That is counted as a deportation, even though they may have only been held for a day or 48 hours.”

### **October 18, 2011: Obama Administration Ignores Santa Clara County's Defiance of Federal Immigration Law**

The Obama Administration refuses to take action when the Santa Clara County, California, Board of Supervisors [votes](#) to stop using county funds to honor ICE detainers, except in limited circumstances. Santa Clara County's failure to cooperate with Secure Communities continues to this day.

- In August 2013, illegal immigrant Mario Chavez was arrested after threatening his 6-year-old son with a knife. His wife obtained a protective order but Chavez made bail and was released from jail instead of being held for further investigation by ICE. A month later, Chavez went to his family's new home where he then stabbed his wife to death. According to [San Jose Mercury News](#), ICE officials "contend they could have kept Chavez off the streets," but the county's policy limits access that ICE has to inmates. The official reportedly said, "We're not asking them to do our job. We're asking them to let us do our job."

### **October 18, 2011: ICE Continues to Pad Deportation Statistics**

ICE [announces](#) its year-end deportation statistics, which it described as "the largest number in the agency's history." However, according to the [2010 Yearbook of Immigration Statistics](#), published by DHS's Office of Immigration Statistics, ICE is detaining far fewer illegal immigrants than ever before, locating fewer than half the number of deportable aliens in 2010 than it did in 2006.

### **October 19, 2011: Obama Administration Ignores Washington, D.C.'s Defiance of Federal Immigration Law**

The Obama Administration refuses to act when District of Columbia Mayor Vincent C. Gray issues an [order](#) to prevent local law enforcement from enforcing federal immigration laws. In June 2012, the D.C. Council unanimously votes to further restrict cooperation with ICE, requiring that suspected illegal immigrants can be detained only if they have prior convictions for violent crimes, among other things. According to the [Washington Post](#), a spokeswoman for ICE states that "ICE has not sought to compel compliance through legal proceedings. Jurisdictions that ignore detainers bear the risk of possible public safety risks."

### **October 28, 2011: Obama Administration Stops Routine Border Searches**

According to the [Associated Press](#), Border Patrol field offices nationwide receive orders from DHS headquarters to stop regular inspections at transportation hubs—both at the border and in the interior of the country—such as random stops and investigations of suspicious behavior, and instead act only based on actual intelligence indicating a threat. The article notes that "halting the practice has baffled agents" who said it was "an effective way to catch unlawful immigrants, including smugglers and possible

terrorists.” The National Border Patrol Council, the union representing Border Patrol agents, [responds](#) to the changes: “Stated plainly, Border Patrol managers are increasing the layers of bureaucracy and making it as difficult as possible for Border Patrol agents to conduct their core duties. The only risks being managed by this move are too many apprehensions, negative media attention and complaints generated by immigrant rights groups.”

#### **October 31, 2011: Obama Administration Sues South Carolina over Immigration Enforcement Law**

The Justice Department [files](#) suit against South Carolina, challenging the state’s immigration enforcement law.

#### **November 7, 2011: USCIS Stops Issuing “Notices to Appear” in Immigration Court for “Non-Priority” Deportation Cases**

Following ICE’s lead, USCIS Director Mayorkas issues a new [Policy Memorandum](#) stating that USCIS will no longer issue place illegal immigrants into removal proceedings by issuing “Notices to Appear” in immigration court for illegal immigrants who do not meet the Administration’s deportation “priorities.”

#### **November 17, 2011: ICE Announces Review of Entire Immigration Court Docket to Close More Deportation Cases**

Although it had previously denied the existence of a program involving the dismissal and closure of cases in its Houston office, the ICE Office of the Principal Legal Advisor (OPLA) issues a new policy [memorandum](#) instructing all agency attorneys to “begin a review of incoming cases and cases pending in immigration court” and identify the cases eligible for “prosecutorial discretion in the form of administrative closure,” *i.e.*, executive amnesty.

#### **November 22, 2011: Obama Administration Sues Utah over Immigration Enforcement Law**

The Obama Administration [files](#) a lawsuit to block provisions of Utah’s immigration enforcement law. This is the fourth lawsuit by the Administration against a state that enacted such a law.

#### **November 22, 2011: Obama Administration Ignores New York City’s Defiance of Federal Immigration Law**

New York City Mayor Michael Bloomberg signs a [measure](#) directing city jails to ignore certain requests by ICE to maintain custody of illegal immigrants, so as to give ICE the opportunity to assume custody. To date, the Obama Administration has taken no action against New York City to compel compliance.

### **December 11, 2011: Reports Surface that President Obama to Reduce National Guard Presence on Border**

According to [several reports](#), the Obama Administration plans to reduce the 1,200 National Guard troops stationed along the southwestern border. From 2006 to 2008, under the Bush Administration, thousands of troops worked along the border as part of “Operation Jumpstart” to free up Border Patrol to focus on border security. On April 17, 2012, the Obama Administration implements its plan and reduces the number of National Guard to 300; there are [currently](#) about 130 stationed on the border.

### **December 15, 2011: DHS Rescinds Maricopa County, Arizona’s 287(g) Agreement**

DHS [rescinds](#) Maricopa County, Arizona’s 287(g) agreement—a cooperative agreement whereby local law enforcement receive training in identifying and apprehending illegal aliens. Director Morton told the Maricopa County Attorney that ICE will no longer respond to calls from the Maricopa County Sheriff’s Office involving traffic stops, civil infractions, or “other minor offenses,” even though federal law requires the federal government to respond to inquiries by law enforcement agencies to verify immigration status.

### **December 29, 2011: ICE Creates 24-Hour Hotline for Illegal Immigrant Detainees**

ICE [announces](#) a new 24-hour hotline for illegal immigrant detainees to ensure they “are made aware of their rights.” The hotline is to be staffed by the Law Enforcement Support Center, which ICE previously claimed was too understaffed to respond to local law enforcement trying to verify immigration status. ICE also revises its detainer form to include a new provision that says ICE should “consider this request for a detainer operative only upon the subject’s conviction”—a change in policy that explicitly ignores that illegal presence in the United States is a violation of federal law.

### **January 5, 2012: DHS Stops Secure Communities in Alabama in Retaliation for State Immigration Enforcement Law**

In an [email](#) from DHS to congressional offices, DHS reveals that it had stopped the roll-out of Secure Communities in Alabama because the Obama Administration disagreed with the state’s immigration enforcement law: “Although the federal courts have enjoined several parts of H.B. 56, certain provisions were not enjoined and are currently in effect . . . While these provisions of Alabama’s state immigration enforcement law, which conflict with ICE’s immigration enforcement policies and programs, remain the subject of litigation, ICE does not believe it is appropriate to expand deployment of Secure Communities . . . in Alabama.”

### **January 6, 2012: USCIS Announces Proposal to Permit Entire Segments of Illegal Immigrant Population to Remain in U.S.**

USCIS [announces](#) a proposed rule to allow illegal immigrant relatives of U.S. citizens to apply for waivers to remain in U.S., thereby avoiding the provisions in the Immigration and Nationality Act (INA) that require them to return to their home countries and apply for a waiver to return to the United States. On January 3, 2013, USCIS issues the [final rule](#). During a stakeholder call, USCIS Director Mayorkas emphasizes that USCIS will also consider expanding the waiver to illegal immigrant relatives of green card holders and clarifies that even illegal immigrants in deportation proceedings who had their case administratively closed are eligible for these waivers. On January 24, 2014, USCIS issues [field guidance](#) for the program, instructing USCIS officers that an applicant with a criminal history is still eligible for a waiver as long as the offense qualifies as a “petty offense” or “youthful offender” exception under the INA, and is not a crime involving moral turpitude.

### **January 9, 2012: DHS Inspector General Reveals Rubberstamping of Immigration Applications**

A [report](#) by the DHS Inspector General reveals that USCIS officials pressure employees to approve applications that should have been denied, and that employees believe they do not have enough time to complete interviews of applicants, “leav[ing] ample opportunities for critical information to be overlooked. One [adjudicator] said that an [adjudicator] is likely to ‘grant and just move on,’ rather than use information to make a better determination in certain cases.” Ninety percent of those surveyed felt they did not have enough time to complete interviews of applicants.

### **January 16, 2012: ICE Prosecutors Suspend Deportation Proceedings**

Due to the immigration court docket review ordered by the OPLA in November 2011, proceedings in [immigration courts](#) in Denver and Baltimore are stopped for six weeks. On January 19, 2012, ICE prosecutors recommend the voluntary closure of 1,667 deportation cases. On March 30, 2012, the Administration [announces](#) the expansion of the program to Detroit, Seattle, New Orleans, and Orlando, suspending the immigration court dockets in four large cities.

### **January 19, 2012: President Obama Uses Executive Order to Eliminate Statutory Requirement for Visa Interviews for Certain Countries**

President Obama issues an [Executive Order](#) attempting to nullify a longstanding statutory requirement that those applying for a nonimmigrant visa (in a foreign country) submit to an in-person interview with a consular officer. The President’s Executive Order waives these requirements for travelers from China and Brazil, increasing the potential for visa overstay and risking national security and law enforcement threats.

**February 7, 2012: ICE Creates “Public Advocate” for Illegal Immigrants**

ICE [announces](#) the creation of the ICE Public Advocate, who is to serve as a point of contact for aliens in removal proceedings, community and advocacy groups, and others who have questions, recommendations, or other issues they would like to raise about the Administration’s enforcement and executive amnesty efforts.

**February 13, 2012: President Obama’s Budget Slashes 287(g) Program**

The President’s [FY2013 budget](#) proposes a massive cut in funding for ICE and the 287(g) program, effectively gutting it.

**April 25, 2012: ICE Voluntarily Dismisses Over 16,500 Deportation Cases**

ICE [announces](#) that it will voluntarily close over 16,500 deportation cases in connection with the Obama Administration’s larger review of 300,000 cases. The Administration also announces that the number of illegal immigrants whose deportation cases it has already dismissed is up to 2,700 from just over 1,500 the previous month.

**April 25, 2012: DHS Announces Another Delay of Biometric Exit System**

In March 2012, DHS Principal Deputy Coordinator of Counterterrorism John Cohen had [testified](#) before the House Committee on Homeland Security that DHS’s plan to implement the statutorily-required biometric exit system will be completed in the next 30 days. However, on April 25, 2012, Secretary Napolitano [testifies](#) before the Senate Judiciary Committee that DHS will be able to deploy such a system “within four years” and then only if DHS determines that it is cost-effective. Dating back to 1996, Congress has mandated six times that this system be implemented and the 9/11 Commission recommended that DHS complete this system “as quickly as possible.”

**April 27, 2012: Obama Administration Undermines the Successful Secure Communities Program**

ICE [announces](#) that it will no longer ask local jails to detain illegal immigrants stopped for “minor traffic offenses,” weakening the effective Secure Communities program. Instead, ICE will consider detaining an alien only if the alien is ultimately convicted of an offense. Also, despite claims of limited resources, ICE announces it plans to take action against jurisdictions with arrest rates the agency deems *too high*.

**June 5, 2012: ICE Deportation Dismissals Up to 20,000**

ICE releases its latest [statistics](#) in its review of pending deportation cases. Of the 288,000 reviewed, 20,648 will be dismissed. ICE prosecutors in [California](#) also begin reviewing more than 18,000 pending deportation cases.



### **June 12, 2012: Obama Administration Sues Florida for its Effort to Remove Ineligible Voters**

The Obama Administration [files](#) a lawsuit to prevent the State of Florida from removing ineligible voters, including illegal immigrants, from its voter registration rolls. On June 28, 2012, a federal court [denies](#) the Administration's request, largely because Florida had abandoned its efforts, but also holds that a State is not prohibited from removing the names of noncitizens from its voter rolls, even within the 90-day "quiet" period before a federal election.

### **June 15, 2012: President Obama Bypasses Congress and Unilaterally Implements His Version of Failed DREAM Act**

President Obama [unilaterally](#) implements provisions of the DREAM Act, circumventing Congress under the guise of "prosecutorial discretion." By executive fiat, the Deferred Action for Childhood Arrivals or "DACA" program grants amnesty and work authorizations to illegal immigrants under the age of 30 who claim they arrived in the country before the age of 16. ICE officers later report that this amnesty is being granted to adult illegal aliens who have been arrested for criminal offenses. In an [interview](#) the same day, Secretary Napolitano admits that DHS "internally set it up so that the parents are not referred for immigration enforcement if the young person comes in for deferred action," thereby further expanding the scope of the non-enforcement directive.

### **June 25, 2012: Obama Administration Rescinds Arizona's 287(g) Agreements in Retaliation for Supreme Court Upholding State Immigration Enforcement Law**

Immediately following the Supreme Court's [decision](#) upholding most of Arizona's immigration enforcement law—which required law enforcement officers to take reasonable steps to verify the immigration status of those lawfully stopped or detained where there is reasonable suspicion to believe they are in the country illegally—the Administration [rescinds](#) all of its 287(g) agreements in Arizona.

### **July 6, 2012: Obama Administration Announces Closure of Nine Border Patrol Stations**

The Obama Administration [announces](#) the closure of nine Border Patrol stations throughout the country—Lubbock, Amarillo, Dallas, San Antonio, Abilene, and San Angelo, Texas; Billings, Montana; Twin Falls, Idaho; and Riverside, California. A U.S. Customs and Border Protection spokesman claims it is being done to more effectively use personnel.

### **August 6, 2012: Obama Administration Admits It Does Not Enforce Law Designed to Prevent Aliens from Relying on Public Welfare System**

The Ranking Members of the Senate Budget, Judiciary, Finance, and Agriculture Committees [request](#) information from DHS and the State Department about visa denials

after learning that only two of roughly 80 means-tested welfare programs were officially considered when evaluating whether an applicant for admission to the U.S. was likely to become a “public charge,” *i.e.*, dependent on government assistance. Under [Section 212](#) of the INA, an alien who is likely to become a public charge is inadmissible. On February 8, 2013, DHS finally [responds](#) that, in 2012, not a single immigrant was identified by the federal government as being a public charge, and that from FY2005 to FY2011, just 9,700 applicants for admission through the Visa Waiver Program out of more than 116 million were denied on public charge grounds. On March 1, 2013, the State Department finally responds with [data](#) showing that, in 2011, only 0.0033 percent of net applications for admission to the U.S. were denied on “public charge” grounds.

#### **September 12, 2012: Obama Administration Admits Aggressive Campaign to Recruit Immigrants to Sign-Up for U.S. Welfare Programs**

In response to a request from the Ranking Member of the Senate Budget Committee, then-U.S. Department of Agriculture (USDA) Secretary Tom Vilsack [admits](#) that USDA personnel have conducted more than 30 meetings with the Mexican government to encourage non-citizen enrollment in food stamps and 14 other USDA-administered welfare programs. It is later revealed that a [pamphlet](#) distributed at Mexican consulates in the U.S. assures non-citizens that food stamp enrollment will not affect their path to citizenship, and that the USDA produced and [broadcasted](#) a soap opera-like “*radio novela*,” the premise of which included pressuring an individual to enroll in food stamps even though she insisted she could subsist without the benefits.

#### **October 4, 2012: Obama Administration Ignores Los Angeles County’s Defiance of Federal Immigration Laws**

The Obama Administration fails to take any action after Los Angeles Police Department Chief Charlie Beck [announces](#) that the LAPD will ignore requests by ICE to detain illegal immigrants arrested for “low-level” offenses.

#### **December 21, 2012: Morton Amnesty Memo #4**

On the Friday before the Christmas holiday, ICE Director Morton issues a fourth [memo](#) with guidance on implementing executive amnesty, stating that ICE agents can no longer detain illegal immigrants if their only violation of the law is being in the country illegally. ICE agents now may detain only those who have committed a crime independent of their illegal presence, administratively suspending core elements of the INA.

### **January 22, 2013: Obama Administration Files Brief in Support of Challenge to Arizona Law Requiring Proof of Citizenship to Vote**

The Obama Administration [files](#) a brief in *Arizona v. Inter Tribal Council of Arizona, Inc.*, challenging Arizona's law that requires individuals to provide evidence of U.S. citizenship when registering to vote in federal elections. On June 17, 2013, the Supreme Court [holds](#) that although federal law preempts the Arizona law, Arizona can still request that the Elections Assistance Commission (EAC) include state-specific instructions on the federal form and a state may challenge a rejection of that request. Writing for the majority, Justice Scalia notes: "Arizona would have the opportunity to establish in a reviewing court that a mere oath will not suffice to effectuate its citizenship requirement and that the EAC is therefore under a nondiscretionary duty to include Arizona's concrete-evidence requirement on the Federal form."

### **February 14, 2013: Obama Administration Announces It Has Approved Nearly 200,000 DACA Applications**

USCIS [releases](#) its latest DACA statistics showing that the Administration has granted deferred action to 199,460 illegal immigrants under the program.

### **February 26, 2013: DHS Admits It Has No Metrics for Determining Whether Border Is Secure**

GAO releases a [report](#) stating that DHS has no official metrics by which to determine whether the border is secure and has no plans to adopt any until late 2013. Since 2004, DHS had used "operational control" as a way to measure border security, and, in 2006, Congress [mandated](#) that DHS maintain operational control of the "entire international land and maritime borders of the United States." After DHS reported in 2010 that it had operational control over only 13 percent of the 8,607 mile northern, southwestern, and coastal border, and only 44 percent operational control of the southwestern border specifically, the Obama Administration abandoned the metric. On March 21, 2013, the [New York Times](#) reports that Administration officials admitted that "they had resisted producing a single measure to assess the border because the president did not want any hurdles placed on the pathway to eventual citizenship for immigrants in the country illegally."

### **February 2013: Obama Administration Uses Sequester as Excuse to Release More Than 2,000 Illegal Immigrants—including Illegal immigrants with Criminal Records—from ICE Custody**

After reports surface that ICE had been releasing illegal immigrants in ICE custody due to the sequester, ICE Director Morton [testifies](#) before the House Judiciary Committee that ICE had, in fact, released 2,228 illegal immigrant detainees, at least 629 of whom had criminal records, contradicting earlier statements by DHS officials. Morton also admits

that ICE had rearrested and brought back four of the most dangerous released detainees. According to the [Associated Press](#), more than 2,000 had been released before the sequester even took effect and the Administration planned to release 3,000 more. In October 2014, [USA Today](#) obtains internal ICE records contradicting the Administration's assurances to Congress – including by White House spokesman Jay Carney – that those released had only minor criminal records. Morton had testified that none were charged or convicted with murder, rape or sexual abuse of a minor. However, according to the internal ICE documents, those freed had been charged with aggravated kidnapping, sexual assault (including of minors), drug trafficking, homicide, assaulting police officers, and weapons charges.

#### **April 10, 2013: Border Patrol Chief Testifies Apprehensions Have Increased**

Chief of the Border Patrol Michael Fisher [testifies](#) before the Senate Homeland Security and Governmental Affairs Committee that there has been an increase in “attempted entries,” in part due to Congress’ consideration of amnesty.

#### **April 23, 2013: Federal Court Holds DHS Does Not Have Discretion to Stop Deportations**

In *Crane v. Napolitano*, the U.S. District Court for the Northern District of Texas [holds](#) that “DHS does not have discretion to refuse to initiate removal proceedings [where the law requires it to do so].” The court also affirms that Congress, and not the President, has the plenary power to set immigration law and that the Obama administration’s non-enforcement policies violate federal law. The lawsuit originated when several ICE agents sued Secretary Napolitano, Director Morton, and Director Mayorkas, arguing that the Administration’s policies cause them to violate their oath of office to enforce the law.

#### **April 24, 2013: Attorney General Eric Holder Declares Amnesty Is a “Civil Right”**

In a speech before the Mexican American Legal Defense and Education Fund, Attorney General Eric Holder [declares](#) that amnesty is a “civil right”: “Creating a pathway to earned citizenship for the 11 million unauthorized immigrants in this country is essential . . . This is a matter of civil and human rights.”

#### **August 23, 2013: Obama Administration Makes Broad New Category of Illegal Immigrants Eligible for Executive Amnesty**

ICE announces a new [policy](#) prohibiting its agents from detaining and/or deporting illegal immigrant parents, legal guardians, and “primary caretakers” of minor children. The policy memo states that ICE personnel “should ensure that the agency’s immigration enforcement activities do not unnecessarily disrupt the parental rights of both alien parents or legal guardians of minor children.” In response, House Judiciary Committee Chairman Bob Goodlatte [states](#) that the new directive “poisons the debate

surrounding immigration reform and shows that the Administration is not serious about fixing our broken immigration system.”

#### **October 5, 2013: Obama Administration Ignores California’s Defiance of Federal Immigration Law**

California Governor Jerry Brown [signs](#) a law prohibiting state and local law enforcement from detaining illegal immigrants pursuant to an ICE detainer except in certain narrow circumstances. The bill is [opposed](#) by the California State Sheriffs Association and the California District Attorneys Association. To date, the Obama Administration has taken no action in response.

#### **November 15, 2013: Obama Administration Announces More Executive Amnesty**

USCIS issues a new [Policy Memorandum](#) that employs a dubious interpretation of “parole in place”—a provision of law intended to allow aliens *outside* the U.S. to come into the country on a temporary and case-by-case basis under certain circumstances for humanitarian reasons at the discretion of the Attorney General. The Administration announces that it will now use this policy to grant a *path to citizenship* to illegal immigrant immediate relatives of active and veteran members of the U.S. Armed Forces who are already *inside* the country.

#### **November 30, 2013: Obama Administration Has Approved Over 500,000 DACA Applications**

According information provided to congressional offices from USCIS, as of November 30, 2013, USCIS has received a total of 627,763 requests for DACA. Of the total, 509,926, or 81 percent, have been approved, while only 14,614, or 2 percent have been denied.

#### **December 13, 2013: Federal Court Rebukes DHS for Aiding Smugglers in Violating U.S. Laws**

U.S. District Judge for the Southern District of Texas, Andrew S. Hanen, issues an [order](#) stating: “This Court is quite concerned with the apparent policy of the Department of Homeland Security of completing the criminal mission of individuals who are violating the border security of the United States.” Judge Hanen details the practice of DHS immigration agents assisting human traffickers deliver illegal immigrants to their relatives in the United States—including relatives who are themselves illegal immigrants.

#### **January 24, 2014: New DHS Secretary, Jeh Johnson, Declares Illegal Immigrants Have “Earned the Right” to Become U.S. Citizens**

In a [speech](#) to the U.S. Conference of Mayors, newly sworn-in DHS Secretary Jeh Johnson endorses a path to citizenship for illegal immigrants and states: “It is also,

frankly, in my judgment, a matter of who we are as Americans to offer those who want to be citizens, who've earned the right to be citizens . . . to have the opportunity that we all have to try to become American citizens."

#### **February 5, 2014: Obama Administration Unilaterally Changes Federal Law Prohibiting Admission of Terrorists to U.S.**

The Departments of Homeland Security and State [publish](#) new regulations to narrow a ban in the INA prohibiting individuals who had provided "limited" material support to terrorists from entering the country. The regulations would excuse [activities](#) such as:

- committing or inciting to commit, under circumstances indicating an intention to cause death or serious bodily injury, a terrorist activity;
- preparing or planning a terrorist activity;
- gathering information on potential targets for terrorist activity;
- soliciting funds or other things of value for terrorist activity;
- committing an act that the actor knows, or reasonably should know, affords material support, including a safe house, transportation, communications, funds, transfer of funds or other material financial benefit, false documentation or identification, weapons (including chemical, biological, or radiological weapons), explosives, or training for the commission of a terrorist activity.

Under the new administration policy, such individuals would be permitted not only to enter the country, but to apply for *any* immigration benefit, including permanent resident status.

#### **February 8, 2014: Obama Administration Diverts Resources to DACA Applications, Tripling Wait Times for Legal Immigrants**

According to a [report](#) in the *New York Times* citing "administration officials and official data," USCIS has diverted personnel and resources to processing DACA applications, tripling wait times for U.S. citizens petitioning for green cards for immediate relatives. According to the report, "waits for approvals for those resident visas stretched to 15 months, and more than 500,000 applications became stuck in the pipeline, playing havoc with international moves and children's schools and keeping families apart."

#### **February 11, 2014: DHS Inspector General Audit Reveals Decline in Worksite Enforcement**

According to a [report](#) by the DHS Inspector General, from 2009 to 2012, the Obama Administration systematically reduced fines levied against employers found in violation of the INA for employing illegal immigrants. The report states fines were reduced an average of 40 percent from \$52.7 million to \$31.2 million, and that of 1,174 final orders, 68 percent were reduced, 28 percent by more than half. The Inspector General states

that such significant reductions “may diminish the effectiveness of fines as a deterrent to hiring unauthorized workers.”

#### **March 4, 2014: President Obama’s Annual Budget Request Cuts Enforcement Funding**

President Obama’s FY2015 budget [request](#) proposes reducing overall funding for ICE by 4.5 percent, maintaining fewer detention beds, increasing alternatives to detention, and eliminating funding for the State Criminal Alien Assistance Program (SCAAP). His introductory budget message calls on Congress to pass amnesty.

#### **March 12, 2014: DHS Secretary Admits that Obama Administration Manipulates Deportation Statistics**

Testifying before the [House Appropriations Homeland Security Subcommittee](#), Secretary Johnson admits that more than half of the 368,000 deportations reported by ICE for fiscal year 2013—touted as a record number of deportations—were actually due to arrests by U.S. Customs and Border Protection (CBP) and would not have counted toward [ICE’s removal totals](#) under previous administrations.

#### **March 13, 2014: President Obama Announces Review of DHS Enforcement Practices**

The President meets with Congressional Hispanic Caucus Leadership to discuss “their mutual efforts to pass commonsense immigration reform legislation through the House of Representatives this year.” A White House [readout](#) of the meeting notes that the President announced to those in attendance that he has directed Secretary Johnson to “do an inventory of the Department’s current practices to see how it can conduct enforcement more humanely within the confines of the law.”

#### **March 26, 2014: Analysis of DHS Deportation Data Reveals Far-Reaching Defiance of Immigration Laws**

According to ICE’s published [data](#) on 2013 removals, 98 percent of all removals met one of the agency’s “enforcement priorities”: individuals who have been convicted of a serious criminal offense; those apprehended in the act of crossing the border; those who have been previously deported; and fugitives from the law. The first two categories—border apprehensions (which are not deportations as commonly understood) and convicted criminals—accounted for 94 percent of the 368,000 removals. Less than 0.2 percent of the approximately 12 million illegal immigrants and visa overstays who did not have a serious criminal conviction were placed into removal proceedings; only .08 percent of the approximately 12 million were placed into removal proceedings who were neither convicted of a serious crime nor a repeat immigration violator. While there is no published tally of the .08 percent, reports from ICE officers indicate that these individuals likely had other security red flags on their records.



Regardless, over 99 percent of illegal immigrants and visa overstays without known criminal records did not face removal.

#### **March 26, 2014: Obama Administration Releases Illegal Immigrants into Texas to Ease Overcrowded Detention Centers**

Texas television station [KRGV](#) reports instances of women and minors claiming to have been recently released from immigration officials with “documents that allow [them] to travel anywhere in the United States.” The report claims that most individuals interviewed and released were of Central and South American origins other than Mexico.

#### **March 31, 2014: New Report Reveals ICE Released 68,000 Convicted Criminals in 2013**

A [report](#) released by the Center for Immigration Studies based on internal ICE data reveals that in 2013, ICE charged only 195,000, or 25 percent, out of 722,000 potentially deportable aliens they encountered, and released convicted criminal aliens 68,000 times. According to the data, more than 870,000 aliens who have been ordered removed remain in the country.

#### **April 2, 2014: CBP Commissioner Testifies Administration Policies Contribute to Recent Border Surge**

On April 2, 2014, CBP Commissioner Gil Kerlikowske [testifies](#) before the House Appropriations Subcommittee on Homeland Security that Obama Administration policies—“deferred action, the family reunification, is an issue”—contributed to the recent border surge of unaccompanied alien minors and adults.

#### **May 6, 2014: Obama Administration Unilaterally Expands Guest Worker Admissions**

DHS [announces](#) the publication of two proposed rules to give employment authorization to the spouses of certain H-1B workers, providing nearly 100,000 additional guest worker permits immediately and approximately 30,000 each year thereafter, and to loosen restrictions on other high-skill foreign workers. Meanwhile, the U.S. Census Bureau [reported](#) that majority of U.S. citizens with Science, Technology, Engineering, and Mathematics (STEM) degrees do not work in STEM occupations.

#### **May 8, 2014: Obama Administration Revises Education Guidance Requiring “Equal Access” To Public Schools for Illegal Immigrants**

Circumventing formal rulemaking processes that allow for public comment, the Departments of Justice and Education send a “Dear Colleague” [letter](#) to every public school district in the country regarding acceptable forms of student identification for illegal immigrants. The letter states that schools should not require commonly accepted forms of identification, such as “immigration papers,” Social Security numbers, a

parent's driver's license, or state-issued identification, to establish residency in a district because illegal immigrants are less likely to have such identification and requiring such information could have a "chilling effect" on enrollment.

#### **May 12, 2014: Report Reveals ICE Released 36,007 Criminal Illegal Immigrants in 2013**

According to a [report](#) by the Center for Immigration Studies based on internal ICE data, ICE released 36,007 criminal illegal immigrants into U.S. communities in 2013 alone. These criminals had 88,000 convictions, including 193 homicide convictions, 426 sexual assault convictions, 303 kidnapping convictions, 9,187 dangerous drug convictions, and 16,070 drunk or drugged driving convictions.

#### **May 28, 2014: Obama Administration Announces Plan to Bypass Congress to Permit DACA Recipients to Enlist in Military**

According to a [report](#) in the *New York Times*, Secretary of Defense Chuck Hagel sent a letter to a group of Senators stating that he had "taken initial action to allow for the enlistment" of DACA recipients, creating an expedited pathway to citizenship in as little as three months. The plan would permit the individuals to apply under the Military Accessions Vital to the National Interest (MAVNI) program, which currently allows legal immigrants with temporary visas to enlist if they have certain skills or speak certain languages. Shortly thereafter, the President requests that the plan be delayed until August to give House Republicans a chance to pass amnesty legislation.

#### **May 30, 2014: Memo from Deputy Chief of U.S. Border Patrol Reveals Border Surge Incentivized by Obama Policies**

A draft internal [memorandum](#) by Deputy Chief of the Border Patrol Ronald Vitiello warns the National Security Council's trans-border security directorate that the border surge is worse than the Administration previously acknowledged and is "compromising" the government's ability to combat other border threats. Vitiello states:

"Releasing other than Mexican family units, credible fear claims, and low-threat aliens on their own recognizance, along with facilitating family reunification of UAC in lieu of repatriation to their country of citizenship, serve as incentives for additional individuals to follow the same path. To stem the flow, adequate consequences must be delivered for illegal entry into the US and for facilitating human smuggling, either as a direct member of an illicit alien smuggling organization or as a private facilitator. These consequences must be delivered both at the border and within the interior US, e.g. through expanded ICE Homeland Security Investigations to target individuals facilitating UAC and family unit travel to the US."

#### **June 5, 2014: DHS Virtually Eliminates Education Requirements for DACA Renewal**

Contrary to the publicly announced reasoning behind the DACA policy, guidance [published](#) by USCIS reveals that the agency will not require proof that individuals applying for DACA renewal graduated from an educational institution or are even continuing their studies. Also, many applicants will not have to include any supporting documentation at all.

#### **June 20, 2014: Obama Administration Officials Admit Rumors of Amnesty Fueled Border Surge**

White House Director of Domestic Policy Cecilia Muñoz says that “misinformation . . . is being deliberately planted by criminal organizations, by smuggling networks, about what people can expect if they come to the United States.” This contradicts statements by Muñoz in early June, when she [denied](#) that rumors of amnesty played a role in the surge: “At least from our own anecdotal experience, from our federal agencies in talking with these children as they arrive, they appear to be unaware of the potential for any benefits. It seems to be quite clear that what’s driving this is what is happening in their home countries.”

#### **July 2, 2014: Border Patrol Union: “It’s Open Season on Border Patrol Agents”**

In an [interview](#), National Border Patrol Council Vice President Shawn Moran states that conditions on the border are more dangerous than ever and that “[i]t seems that it’s open season on Border Patrol agents.” Moran warns: “There are still people that are getting away—they are getting around us—and the cartels are managing this to their own advantage. And so, it is still a very dangerous place.” Moran states that agents are frustrated with pay cuts, lack of resources, “lip service” from Congress, and an official administration policy of “catch and release” for illegal immigrants that only encourages more illegal immigration: “You cannot be complicit in getting people further into the United States by giving them bus tickets, giving them a notice to appear, when you know good and well that 80 percent-plus do not show up for these immigration hearings.”

#### **July 5, 2014: ICE Data Shows 80 Percent Decline in Deportations of Minors**

According to a [report](#) in the *Los Angeles Times*, citing ICE data released pursuant to a Freedom of Information Act request, deportations of minors fell from 8,143 in 2008 to 1,669 in 2013.

#### **July 7, 2014: Internal Government Intelligence Report Shows Administration Policy Behind Border Surge**

According to a leaked [report](#) from the El Paso Intelligence Center (EPIC), the widespread belief that illegal immigrants would receive “permisos” upon arriving at the U.S. border

is the driving factor in the decision to come to the U.S. Below are key excerpts from the report:

- “In late May, the U.S. Border Patrol interviewed unaccompanied children (UAC) and migrant families apprehended in the Rio Grande Valley. Of the 230 total migrants interviewed, 219 cited the primary reason for migrating to the United States was the perception of U.S. immigration laws granting free passes, or permisos, to UAC and adult female OTMs traveling with minors. Migrants indicated that knowledge of permisos was widespread across Central America due to word of mouth, local, and international media messaging—prompting many to depart for the United States within 30 days of becoming aware of these perceived benefits, according to the same reporting.”
- “A majority of migrants interviewed also noted that they had encountered family units, consisting of a mother and child under the age of 18 during their journey to the United States and that the families had indicated they planned to surrender to U.S. authorities because they were informed that they would likely be released.”
- “EPIC assesses homicide trends and migrant interviews suggest violence is likely not the principal factor driving the increase in UAC migration. While CBP data from early fiscal year 2011 indicates a steady increase in OTM and UAC migration, United Nations Office on Drugs and Crime (UNODC) statistics—within this same timeframe—show a decline in per capita homicide rates in these three countries; El Salvador saw the sharpest decline, followed by Honduras and Guatemala, respectively.”
- “Migrants cited Univision, Primer Impacto, Al Rojo Vivo and several Honduran television news outlets for helping shape their perception of U.S. immigration policy.”
- “Although EPIC lacks reliable reporting of Central American newspapers broadcasting the perceived benefits of U.S. immigration policies, several U.S. media outlets since June 2014 have identified Central American newspapers that have enticed minors to travel to the United States. For example, Honduran and El Salvadoran press have reportedly advertised the DACA policy, accommodations for detained UAC, and the promise of reunification with family members in the United States.”
- “U.S. Customs and Border Protection (CBP) also notes that a large number of migrants interviewed claimed family members in the United States encouraged their travel because the U.S. government would cease issuing permisos after June 2014.”
- “U.S. Border Patrol officials report that the majority of migrants interviewed in late May indicated that they made arrangements with smugglers in their respective countries through the assistance of family members and friends in the United States.”
- “EPIC assesses that UAC flow to the border will remain elevated until migrants’ misperceptions about US immigration benefits are changed.”

#### **July 12, 2014: Border Patrol Reassigned to Paperwork, Changing Diapers**

[According](#) to National Border Patrol Council Vice President Shawn Moran, Border Patrol agents are routinely reassigned from their duties to changing diapers and babysitting. In an interview, Agent Hector Garza [states](#) that up 70 percent of agents have been reassigned from patrolling the border to handling paperwork related to the border surge. Former National Deputy Chief of Border Patrol Ronald Colburn tells [National Review](#): “It’s ironic that over the past decade we’ve doubled the staffing levels of sworn uniformed armed officer personnel, yet we now find them with their sleeves rolled up repairing vehicles, processing paperwork, answering phones, changing diapers, mixing formulas, playing badminton with children—they’re doing anything except patrolling the border. And [it’s] contrary to their own mission, but it’s out of their hands.”

#### **July 14, 2014: Asylum Approvals Increase Tenfold under Obama Administration**

According to a [report](#) in the *Daily Caller*, leaked DHS data shows successful asylum claims almost tripled from 2012 to 2013, up to 30,393—ten times the number of approvals in 2008.

#### **July 16, 2014: White House Cites “Privacy Rights” in Refusing To Release Location of Illegal Immigrants Relocated During Border Surge**

White House Spokesperson Josh Earnest [refuses](#) to answer questions regarding the relocation of illegal immigrants throughout the U.S., stating that the Administration would “abide by the privacy rights of particular individuals.”

#### **July 19, 2014: Report Reveals Obama Administration Had Advance Warning of Border Surge**

Contradicting administration claims that “nobody could have predicted the scale” of the border surge, the *Washington Post* [reports](#) that nearly a year earlier, DHS received a 41-page [report](#) (funded and supported by DHS’s Science and Technology Directorate) “rais[ing] alarms about the federal government’s capacity to manage a situation that was expected to grow worse.” In addition, Texas Governor Rick Perry had [written](#) to President Obama in May 2012, warning of such a crisis. According to the *Post*:

“A person involved in the planning said that inside the White House, national security staffers were concerned about the growing influx of children but that the influential team of domestic policy advisers was far more focused on the legislative push. ‘Was the White House told there were huge flows of Central Americans coming? Of course they were told. A lot of times,’ said the person, who spoke on the condition of anonymity to discuss internal deliberations. ‘Was

there a general lack of interest and a focus on the legislation? Yes, that's where the focus was.'"

### **July 21, 2014: Agents Believe Administration Intentionally Handcuffing Them in Midst of Border Crisis; Fear Retaliation for Speaking Out**

[According](#) to former National Deputy Chief of the Border Patrol Ronald Colburn, some ICE officials believe "the Obama Administration has intentionally neglected to give them orders to support efforts to resolve" the border crisis. Colburn states:

"They're sitting still at their desks—reading newspapers, playing video games on their government computers—because they're not being tasked with work, and they feel like it's coming all the way down from the top. These are guys that do want to go out more, but basically they're not."

Executive Vice President of the Law Enforcement Officers Advocates Council and retired Border Patrol agent Dave Stoddard [says](#) all law enforcement agents are "terrified" of speaking out for fear of the consequences. One CBP email obtained by *National Review* warns that the punishment for leaking certain information to outside sources could result in up to 10 years in prison. Earlier in July, a Border Patrol agent received a cease and desist [letter](#) after speaking out about public health risks relating to transporting illegal immigrants. He [later](#) receives a formal reprimand.

### **August 11, 2014: Department of Education Releases Fact Sheet about Illegal Aliens Being Entitled to Public Education**

The Department of Education releases a [Fact Sheet](#) stating that all illegal immigrant minors are entitled to a publically-funded education. According to the FAQ section, "States and local educational agencies are obligated to provide all children—regardless of immigration status—with equal access to public education at the elementary and secondary level. This includes children such as unaccompanied children who may be involved in immigration proceedings."

### **August 11, 2014: Obama Administration Approves Rule to Reverse Longstanding Policy Banning Libyan Pilots and Nuclear Scientists from Training in U.S.**

OMB approves a final [regulation](#) to lift a ban on permitting Libyan pilots and nuclear scientists to enter the U.S. to attend flight school, work in aviation maintenance or flight operations, or study or seek training in nuclear science. The ban had been put in place in 1983 after numerous terrorist attacks involving Libyans. Approximately a month later, on September 17, 2014, Secretary Johnson [testifies](#) before the House Homeland Security Committee that he did not intend to lift the ban "at this time."

### **August 12, 2014: DHS Inspector General Reveals ICE Released 2,211 Illegal Immigrants, Including 600 Criminal Aliens, in Early 2013**

According to a DHS Inspector General [report](#), ICE released 2,211 illegal immigrants in FY13, including 617 criminal aliens, purportedly in anticipation of budget cuts due to the sequester. The report states that ICE leadership decided to sharply reduce detention populations but did not inform the Office of Management and Budget (OMB) of its planned releases: “We were not able to determine why ICE executive leadership did not wait for OMB to make a decision on releasing additional funding.” According to the report, ICE leadership sent some of its field offices a target reduction number higher than their current detention population; did not provide written guidance on prioritizing releases or from which facilities to release them; did not formally notify ICE attorneys of the releases; and did not instruct field offices to track the releases. ICE leadership also did not provide Congress with accurate information on the number released for budgetary reasons. The report states that since the releases,

“DHS transferred funding from other DHS components to fund detention bed space. Despite this transfer, [Enforcement and Removal Operations] officials said ICE executive leadership instructed them several times to increase detention populations and then release detainees. As a result, . . . ICE did not meet the [statutory] 34,000 mandate for FY 2013.”

### **August 16, 2014: Department of Health and Human Services (HHS) Transfers Thousands of Unaccompanied Illegal Immigrant “Minors” with Gang Ties throughout U.S.**

Vice President of the National Border Patrol Council Shawn Moran tells [Fox News](#) that MS-13 gang members are crossing the border and using Red Cross phones at detention facilities to coordinate gang activity. RGV Border Patrol Agent and Local 3307 Union Representative Albert Spratte tells [CNSNews](#) that many of the MS-13 gang members are adults but Border Patrol has to process them as minors if they claim to be under 18.

### **August 20, 2014: Boston Becomes Sanctuary City**

The Boston City Council unanimously [passes](#) the “Boston Trust Act,” which provides that the City will no longer hold illegal immigrants for federal authorities unless an arrest warrant has been issued. ICE spokesman Daniel Modricker refuses to address the ordinance, instead stating: “When law enforcement agencies remand criminals to ICE custody rather than releasing them into the community, it helps contribute to public safety and the safety of law enforcement. To further this shared goal, ICE anticipates that law enforcement agencies will comply with detainers.”



### **August 21, 2014: ICE Discloses Information on Location of Illegal Immigrants Convicted of Homicide and Released**

In [response](#) to a letter from Senate Judiciary Committee Ranking Member Chuck Grassley, ICE discloses that of the 169 detainees with a “homicide-related conviction” released from custody in FY2013, 131 had been ordered deported. However, ICE does not specify how many, if any, actually have been deported. The letter provides the zip codes associated with the criminal aliens’ last known addresses.

### **August 22, 2014: After Initial Denials, TSA Admits Illegal Immigrants Permitted to Board Planes without Identification**

After [denying](#) such accounts for over a month, the Transportation Security Administration (TSA) [admits](#) that illegal immigrants are being permitted to board planes with no more than a “Notice to Appear” issued when they arrived in the U.S. TSA had originally stated: “These reports are false. A Notice to Appear, issued by the Executive Office for Immigration Review (EOIR), is not an acceptable form of ID at the TSA checkpoint.” In a [letter](#) to Rep. Kenny Merchant (R-TX), however, TSA had admitted that if such an NTA is presented as identification, TSA will allow the passenger to board if TSA can corroborate the passenger’s identity through “DHS partner components.”

### **August 25, 2014: Report Reveals Border Surge Will Cost States \$761 Million in Education Costs**

The Federation for American Immigration Reform (FAIR) releases a [report](#), based on federal government data, indicating that more than 37,000 minors who were part of the border surge and have been transferred throughout the U.S. are eligible to attend public schools. The report states that 10 states make up the bulk of the cost at nearly \$600 million: New York, Texas, Maryland, California, New Jersey, Florida, Virginia, Louisiana, Massachusetts, and Georgia.

### **August 26, 2014: Department of Justice Announces Victims of Domestic Violence in Guatemala May Qualify for Asylum in U.S.**

Under the INA, individuals may seek asylum if they can show evidence of persecution based on race, religion, nationality, political opinion, or membership in a qualified “particular social group.” On August 26, 2014, the Department of Justice’s Board of Immigration Appeals [rules](#) that “‘married women in Guatemala who are unable to leave their relationship can constitute a cognizable particular social group that forms the basis of a claim for asylum or withholding of removal.” This ruling means that anyone who merely claims a history of domestic violence in a foreign country may be entitled to refuse to seek the assistance of local law enforcement, leave his or her country, and come to the United States indefinitely.

**August 27, 2014: Obama Administration Enters into Settlement with ACLU Allowing Deported Illegal Immigrants to Return to U.S.**

The Obama Administration enters into a [settlement](#) with the ACLU, which represents 9 Mexicans who claim they were “tricked” into agreeing to fast-track voluntary return deportation agreements between 2009 and 2013. Under the settlement, not only will the 9 individuals be able to return to the U.S. to challenge their deportations in court, but so too will anyone who deported voluntarily during that time period, which the ACLU [estimates](#) to be in the hundreds of thousands. Some [argue](#) that the agreement sets a legal precedent that could cover roughly 8.8 million illegal immigrants who were successfully deported under the same policy from 2001 to 2012. The settlement agreement also requires the U.S. to launch an outreach effort through Mexican media to inform deportees that they may be eligible to return if they are part of the settlement class. In addition, federal agents must advise illegal immigrants of their right to a hearing and provide them with access to an informational hotline and a list of free legal services providers.

**August 28, 2014: ICE Officers Ordered to Stay Away From Amnesty Rally in Front of ICE Headquarters**

When 2,000 amnesty activists are expected at a CASA de Maryland rally in front of ICE Headquarters in Washington, D.C., Assistant Director Timothy Moynihan directs ICE personnel not to “engage in verbal or physical confrontation with participants.” An ICE officer [speaking](#) on the condition of anonymity says:

“We’re a big joke to these immigrant rights groups and the illegal immigrants know we’re not allowed to do anything. So basically, we have to use the back door and let activists, many who are illegal, stand in front of our building and protest the law. We have to sit there and watch, we have to suck it up and know that regardless of the law, groups like CASA can pretty much dictate policy and do whatever they want.”

**August 29, 2014: Over Six Months, 37,477 Unaccompanied Alien Minors Released, Only 280 Deported**

HHS releases a [report](#) listing 126 counties throughout the U.S. where 29,890 unaccompanied alien minors have been transferred. Only 280 (0.9 percent) have been deported.

**August 29, 2014: EEOC Signs Agreement with Mexican Government to Allow Mexican Nationals, Including Illegal Immigrants, to Exercise “Workplace Rights”**

The Equal Employment Opportunity Commission (EEOC) enters into a [Memorandum of Understanding](#) with the Mexican government that states that the EEOC will provide

education and training programs to inform Mexican Nationals about their workplace rights and to inform employers about compliance with anti-discrimination laws. EEOC General Counsel David Lopez [says](#): “This redoubles our efforts to ensure that the most vulnerable workers are protected by the laws – even those who live and work in the shadows.”

#### **September 2, 2014: President Obama Declares Illegal Immigration to Be a “Right”**

In a Labor Day [speech](#) in Milwaukee, President Obama declares that illegal immigration is a “right”: “Hope is what gives young people the strength to march for women’s rights, and workers’ rights, and civil rights, and voting rights, and gay rights, and immigration rights.”

#### **September 2, 2014: Obama Administration Announces 18-Month Extension of Temporary Protected Status for Sudan and South Sudan**

Secretary Johnson [announces](#) that Sudanese nationals are eligible for Temporary Protected Status (TPS) for an additional 18 months, effective November 3, 2014, through May 2, 2016. TPS for Sudan was initially granted on May 3, 2013, and on September 2, 2014, for South Sudan. The DHS Secretary may declare TPS for certain foreign countries if “conditions in the country that temporarily prevent the country’s nationals from returning safely, or in certain circumstances, where the country is unable to handle the return of its nationals adequately.” TPS is granted to individuals from specifically designated countries who are already in the U.S., regardless of immigration status, meaning those who entered the U.S. illegally or overstayed their visa are eligible. Although TPS is generally granted to nationals of a TPS-designated country, individuals who last resided in the designated country may also qualify. Individuals who are granted TPS (or found preliminarily eligible after an initial review) cannot be removed from the U.S., can be granted travel authorization, and can obtain employment authorization. Once TPS is granted, DHS cannot detain a person based on his or her immigration status.

#### **September 2, 2014: Report Reveals that DHS Has Lost Track of More Than 6,000 Foreign Nationals on Student Visas of “Heightened Concern”**

[ABC News](#) reports that DHS has lost track of more than 6,000 foreign nationals in the U.S. on student visas. According to the report, more than one million foreign students enter the U.S. each year. DHS’s own data show that 58,000 overstayed their student visas in the past year alone, of which 6,000 were referred to agents because they were determined to be of “heightened concern.” Approximately 40 percent of the estimated 11 to 12 million illegal immigrants in the U.S. are visa overstays. The article notes that closing loopholes in the student visa program was a major recommendation of the 9/11 Commission, “after it was determined that the hijacker who flew Flight 77 into the

Pentagon, Hani Hanjour, had entered the U.S. on a student visa but never showed up for school.” The article states 9/11 Commission Chair Tom Kean “was stunned the federal government continues to lose track of so many foreign nationals who had entered the country with student visas.”

#### **September 2, 2014: Justice Department Sues Employer for Attempting to Ensure a Legal Workforce**

The Justice Department announces a [settlement](#) with Culinaire International, which was alleged to have engaged in “citizenship discrimination” during the employment eligibility reverification process for requiring lawful permanent residents to produce new Permanent Resident Cards when their prior card expired. Under the settlement agreement, Culinaire will pay \$20,460 in civil penalties, undergo training on the anti-discrimination provisions of the INA, establish a \$40,000 back pay fund to “compensate potential economic victims,” revise its employment eligibility reverification policies, and be subject to federal government monitoring for 20 months.

#### **September 3, 2014: Obama Administration Conceals Continued Influx of Border Crossings**

Despite the President’s claims during an August 28, 2014, press conference that border apprehensions in August are down from July and lower than the previous year, CBP [records reveal](#) the number of “family units” —adults and children crossing together—fell only slightly from 5,517 to 5,205. The President was likely referring only to the number of unaccompanied minors, which fell from 4,322 in July to 2,037 in August.

#### **September 3, 2014: Immigration Court Dates for Illegal Immigrants from Border Surge Years Away**

[Reports](#) surface that immigration judges are setting court dates for recent border crossers as far into the future as 2018.

#### **September 9, 2014: Justice Department Rolls Back Operation Streamline**

In a [letter](#) to Attorney General Eric Holder, Arizona Senators John McCain and Jeff Flake state that the Yuma County Sheriff’s Office has informed them that the U.S. Attorney for Arizona will no longer prosecute first-time border crossers under Operation Streamline—“a program seeking to reduce recidivism by expeditiously prosecuting those entering or reentering illegally under a ‘zero tolerance’ approach.” The letter notes that due in part to the program, “Yuma Sector’s border with Mexico has gone from being one of the busiest and most dangerous in the nation to one of the most secure.” To date, Holder has not responded.

**September 11, 2014: Report Reveals that U.S. Border Patrol Cannot Track Thousands of Released Illegal Immigrants**

According to statement issued to Texas television station [KRGV](#), government officials have no mechanism to keep track of illegal immigrants who fail to report to ICE after being released by the U.S. Border Patrol.

**September 12, 2014: Associated Press Reports Deportations Lowest Since 2007**

According to an [analysis](#) of DHS data by the Associated Press, the Obama Administration is on pace to remove the fewest number of illegal immigrants since 2007. The report also notes that “as of early September, only 319 of the more than 59,000 immigrants who were caught traveling with their families have been returned to Central America.”

**September 12, 2014: Despite Law Prohibiting Taxpayer-Funded Lawyers for Illegal Immigrants, Department of Justice Announces Millions in Legal Aid Grants for Unaccompanied Minors**

The Department of Justice and the Corporation for National and Community Service [announce](#) \$1.8 million in taxpayer-funded grants to “legal aid organizations to enroll approximately 100 lawyers and paralegals to represent children in immigration proceedings.” However, under the [INA](#), illegal immigrants are [not entitled](#) to taxpayer-funded representation in immigration proceedings.

**September 17, 2014: DHS Secretary Admits Amnesty Background Checks Would Miss Terrorists, Criminals**

[Testifying](#) before the House Homeland Security Committee, Secretary Johnson admits that terrorists and criminals in the country illegally would not voluntarily undergo background checks.

**September 18, 2014: USCIS Union President Says Administration’s Lax Policies Easily Exploited by Terrorists**

In a [statement](#), U.S. National Citizenship and Immigration Services Council President Ken Palinkas warns that terrorists can “exploit our loose and lax visa policies to gain entry to the United States.” Palinkas goes on to state:

“Our caseworkers cannot even do in-person interviews for people seeking citizenship, they cannot enforce restrictions on welfare use, and they even lack the basic office space to properly function. Applications for entry are rubber-stamped, the result of grading agents by speed rather than discretion. We’ve become the visa clearinghouse for the world.”

### **September 19, 2014: Internal CBP Document Reveals that 474 Illegal Immigrants from Terrorism-Linked Countries Apprehended in 2014**

An [internal document](#) from the CBP Office of Intelligence and Investigative Liaison reveals that 474 illegal immigrants from terrorism-linked countries were apprehended in 2014 alone. Since FY2009, almost 3,000 such individuals have been apprehended by Border Patrol attempting to enter the U.S.

### **September 30, 2014: DHS Inspector General Report Reveals Visa Security Program in Shambles**

The DHS Inspector General releases a [report](#) stating that not only has DHS failed to fully implement the Visa Security Program (currently in less than 10 percent of all consular offices), but it is also unclear whether the program is effective, because the program is so poorly run. The program is supposed to stop terrorists and other bad actors from obtaining visas.

### **September 30, 2014: Obama Administration Circumvents Congress and Creates New Central American In-Country Refugee Program**

The State Department [announces](#) that parents who are “lawfully present” in the U.S. who have children living in El Salvador, Guatemala, or Honduras may request their child’s admission into the U.S. as a refugee—despite a lack of explanation as to how those children may constitute “refugees” as defined in the INA. Even when a child is not eligible for entry under the refugee program, they can still be considered for entry under a case-by-case parole program. Section 101 of the INA defines a refugee as a person “who has a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.” Courts have held that persecution requires government action, and that general violence or poverty does not meet the requirements for refugee or asylee status. Parole, commonly referred to as “humanitarian parole,” is authorized by Section 212 of the INA. The statute grants the Executive Branch discretion to “parole into the United States *temporarily* under such conditions as [it] may prescribe only on a *case-by-case basis for urgent humanitarian reasons or significant public benefit*.” While the administration acknowledges in its release that parole, by definition, is temporary in nature, it says aliens granted parole from Central America would be allowed into the U.S. in two-year increments and allowed to renew their parole, apparently indefinitely. It is later [revealed](#) that those granted deferred action, deferred enforced departure, and withhold of removal, will be eligible to participate. In effect, the program will [allow](#) “illegals in the United States to bring their children, their adult children, their grandchildren, and even step-parents into the United States.”

### **September 30, 2014: Obama Administration Announces Plans to Accept Large Numbers of Syrian Refugees**

According to [statements](#) delivered by the Assistant Secretary of State at a United Nations meeting in Geneva, the Obama administration expects the number of refugees entering the United States from Syria “to surge in 2015 and beyond.” The United States currently accepts 70,000 “displaced persons” a year, more than all the other countries in the world combined.

### **October 1, 2014: Despite Law Prohibiting Taxpayer-Funded Lawyers for Illegal Immigrants, HHS Announces Millions in Legal Aid for Illegal Immigrants**

The Department of Health and Human Services [announces](#) that it will give \$9.2 million to the Conference of Catholic Bishops and the Committee for Refugees and Immigrants to provide legal assistance to undocumented minors in deportation proceedings. Under federal law, illegal aliens are not entitled to government-funded representation in immigration proceedings.

### **October 4, 2014: Obama Administration Continues to Ignore Growing Sanctuary Jurisdiction Problem**

According to the [Los Angeles Times](#), more than 225 local law enforcement agencies across the country have policies to completely ignore ICE detainer requests. Another 25 local law enforcement agencies limit the number of detainer requests they will honor. In a statement to the *Times*, an ICE spokeswoman simply says that ICE will continue to work with local agencies “to enforce its priorities through the identification and removal of convicted criminals and other public safety threats.” According to an October 17, 2014, Fox News [report](#), in the last nine months, 275 counties in 42 states have refused to honor ICE detainers. “In doing so, those jurisdictions have released some 9,000 [illegal immigrants] with criminal records who otherwise would have been removed from the U.S.”

### **October 6, 2014: Obama Administration Solicits Bids for Contractors to Produce Millions of ID Cards Ahead of Executive Amnesty**

USCIS posts a [draft solicitation](#) for bids for vendors capable of producing a “surge” of 9 million identification cards in one year and “to support possible future immigration reform initiative requirements.” The solicitation states that USCIS will need a minimum of 4 million cards per year and estimates the maximum for the entire contract to be 34 million cards.



#### **October 7, 2014: Report Reveals that Mexican Government Pays for Illegal Immigrants' DACA Application Fees**

A report from [NPR](#) reveals that Mexican consulates in the U.S. have been providing financial assistance for Mexican nationals to apply for DACA, including paying for all or part of the application costs and legal fees for lawyers. When asked why the Mexican government is spending money to help its citizens remain in the U.S., a spokesperson said the government's "main objective is the well-being of our nationals wherever they are."

#### **October 9, 2014: DHS Secretary Announces Increase in Border Apprehensions for Third Straight Year**

Appearing before the Center for Strategic and International Studies, DHS Secretary Johnson [announces](#) that illegal immigration across the southern border has increased for the third straight year, reaching 479,377 apprehensions in FY2014. Although largely ignored by the [media](#), Johnson admits that the influx of unaccompanied minors ([68,541](#)) was matched by an equally large influx of "family units" ([68,445](#)): "A lot of the spike that we saw this summer were not just unaccompanied kids. Unaccompanied kids got the most attention. But a lot of it, perhaps on the same numbers, if not larger, were what we call family units—parents with kids."

#### **October 10, 2014: Federal Employee Survey Shows DHS Morale Continues to Sink**

The 2014 Federal Employee Viewpoint [Survey](#) reveals morale among DHS personnel continues to decline, and is among the lowest levels in the entire federal government, with only 41.6 percent of survey participants indicating they are satisfied with their employer. When DHS employees were asked on their views of their employers, only 24.9 percent had a positive response, with many also noting that leadership did not maintain high standards of honesty and integrity.

#### **October 13, 2014: Reports Reveal that Obama Administration is Abusing Advance Parole to Allow DACA Recipients to Leave U.S. and Return without Consequences Mandated by Law**

A local Arizona radio station [reports](#), and it is later confirmed, that around 40 illegal aliens benefitting from the DREAM Act were issued "advanced-parole documents" that allowed them to visit Mexico and then immediately reenter the United States.

#### **October 15, 2014: Report Reveals Further Collapse of Immigration Enforcement**

A new [report](#) from the Center for Immigration Studies analyzing ICE records shows that immigration enforcement has continued to decline significantly in 2014. The report notes:

- Total deportations credited to ICE, the majority of which were arrests by Border Patrol and CBP officers at ports of entry, declined 15 percent from 2013 to 2014.
- Deportations from the interior dropped 34 percent from 2013 and are 58 percent lower than the peak in 2009.
- The number of criminal aliens deported from the interior also declined 23 percent since 2013 and declined by 39 percent since the peak in 2011.
- Catch-and-release policies continue: in 2014 deportation processing was initiated for only about 143,000 illegal immigrants out of the 585,000 encountered by agents. Tens of thousands of those let go by ICE had been labeled a criminal threat.
- The number receiving a final order of removal but still in the U.S. has risen to nearly 900,000; nearly 160,000 are convicted criminals who were released by ICE and are currently at large.

#### **October 16, 2014: Obama Administration Extends Temporary Protected Status for Honduras and Nicaragua**

Secretary Johnson extends the Temporary Protected Status of [Honduran](#) and [Nicaraguan](#) nationals to July 5, 2016. TPS for Honduras was initially granted on January 5, 1999, and for Nicaragua on March 9, 2001. The DHS Secretary may declare TPS for certain foreign countries if “conditions in the country that temporarily prevent the country’s nationals from returning safely, or in certain circumstances, where the country is unable to handle the return of its nationals adequately.” TPS is granted to individuals from specifically designated countries who are already in the U.S., regardless of immigration status, meaning those who entered the U.S. illegally or overstayed their visa are eligible. Although TPS is generally granted to nationals of a TPS-designated country, individuals who last resided in the designated country may also qualify. Individuals who are granted TPS (or found preliminarily eligible after an initial review) cannot be removed from the U.S., can be granted travel authorization, and can obtain employment authorization. Once TPS is granted, DHS cannot detain a person based on his or her immigration status.

#### **October 17, 2014: President Obama Circumvents Congress and Creates New Program to Allow 109,000 Haitians to Enter U.S. Without Visas**

USCIS [announces](#) a new Haitian Family Reunification Parole Program, which will waive visa waiting periods for family-based immigration visa applications. This program will permit an estimated 109,000 Haitians to enter and work in the U.S. up to two years earlier than they otherwise would have under current law, even though visas are not currently available. Under current law, visa applicants must wait in their home country until a visa becomes available. The President claims he has the power to do this under parole authority; however, as indicated elsewhere, parole was intended to be used for humanitarian purposes and on a case-by-case basis.

**October 21, 2014: USCIS Director Predicts Another Border Surge**

Speaking at Georgetown University Law Center, USCIS Director Leon Rodriguez [states](#) that the administration is working to “prepare for another potential surge” at the border: “In order to process individuals more efficiently at the border, the unaccompanied children presenting claims, we have had to redeploy, we’re also hiring more asylum officers. We have a lot of work to catch up.”

**October 22, 2014: DACA Recipients on North Carolina Voter Rolls**

After the Division of Motor Vehicles runs a search for individuals with DACA driver’s licenses, the North Carolina State Board of Elections [discovers](#) that 145 DACA recipients are listed on state voter rolls.

**October 22, 2014: Justice Department Expands Legal Orientation Program to Assist Illegal Immigrants**

The Justice Department [announces](#) that beginning November 1, 2014, the Executive Office for Immigration Review (EOIR) will provide assistance to illegal immigrants detained at the Karnes Family Resident Center in Texas. Through the program, representatives from non-profit organizations provide explanations about immigration court procedures and other “basic legal information” to detained individuals. The Justice Department announcement notes that “this expansion is possible due to additional funds Congress provided EOIR for the [program].” According to the announcement, since the start of FY2014, the program has expanded to seven additional sites and is currently at 32 sites across the country.

**October 24, 2014: Report Reveals Non-Citizen Voting in 2008 and 2010 Elections**

A [study](#) by Professors Jesse Richman and David Earnest based on data from the Cooperative Congressional Election Study (CCES) reveals that “more than 14 percent of non-citizens in both the 2008 and 2010 samples indicated that they were registered to vote. Furthermore, some of these non-citizens voted.”

**October 26, 2014: Internal DHS Report Reveals Suspected Terrorists Crossed Northern Border**

According to a leaked DHS Intelligence Information [Report](#), at least 13 men with terrorist ties have illegally entered the U.S. in one region of the U.S.-Canadian border since 2010. The report also details that, as of September 9, 2014, there have been 155 encounters in the same area involving hundreds of individuals from special interest countries.

**October 27, 2014: USCIS Union Pleads for Public’s Help in Stopping Executive Amnesty**

In a [statement](#), USCIS union president Ken Palinkas says:

“[T]his statement is intended for the public: if you care about your immigration security and your neighborhood security, you must act now to ensure that Congress stops this unilateral amnesty. Let your voice be heard and spread the word to your neighbors. We who serve in our nation’s immigration agencies are pleading for your help—don’t let this happen. Express your concern to your Senators and Congressmen before it is too late. Whether it’s the failure to uphold the public charge laws, the abuse of our asylum procedures, the admission of Islamist radicals, or visas for health risks, the taxpayers are being fleeced and public safety is being endangered on a daily basis.”

#### **October 31, 2014: 94 Percent of Illegal Immigrants from Border Surge Fail to Appear in Immigration Court**

According to [documents](#) from the Executive Office of Immigration Review (EOIR), between July 18 and October 7, 2014, immigration judges handed down 3,885 decisions on removal cases with respect to “aliens” in family units—94 percent of which were made in absentia. Over that same time period, 9,874 cases were still pending. Of the 9,170 cases where individuals appeared before a judge, 7,330 were adjourned.

#### **November 6, 2014: Lawsuit Alleges ICE Leadership Pressured Prosecutors to Release Criminal Aliens**

An award-winning career prosecutor and Chief of the Phoenix, Arizona ICE field office [files](#) a lawsuit against Secretary Johnson for retaliation after she resisted orders to release convicted criminal illegal aliens from ICE custody. The complaint highlights the Obama administration’s gross mismanagement of OPLA—including by high-ranking officials in OPLA, such as Peter Vincent, James Stolley, Matthew Downer, and Riah Ramlogan, some of whom were previously involved in directing a backdoor amnesty at the ICE Office of Chief Counsel in Houston. According to the complaint, ICE leadership directed its field offices not to take action against aliens with felony convictions, including an alien who registered to vote twice and claimed to be a U.S. citizen.

#### **November 10, 2014: President Obama Circumvents Congress and Announces Visa Agreement with China**

President Obama [announces](#) a plan to extend the validity of Chinese tourist and business visas from one to ten years in exchange for identical extensions from China. Student visas will also be extended from one to five years under the agreement.

#### **November 10, 2014: Apprehensions of Unaccompanied Minors Up 77 Percent in FY2014**

According to CBP [data](#), apprehensions of unaccompanied minors in FY2014 are up 77 percent, while apprehensions of family units are up 361 percent, compared to the previous year.

#### **November 17, 2014: Report Reveals Executive Amnesty Will Give Illegal Immigrants Access to Public Benefits**

According to a [report](#) from the Federation for American Immigration Reform (FAIR), if the President uses “parole” or “deferred action” to circumvent Congress and grant amnesty, those individuals will be eligible for federal benefits such as Obamacare, unemployment benefits, Social Security, the Earned Income Tax Credit, Medicare, Medicaid, SCHIP, and TANF.

#### **November 20, 2014: President Obama Announces Executive Amnesty**

President Obama [announces](#) his “Immigration Accountability Executive Action,” unilaterally circumventing immigration law, including granting “deferred action” to approximately 5 million illegal immigrants. DHS [issues](#) 10 memos detailing the changes, such as ending the Secure Communities program and extending DACA to illegal immigrant parents of Americans and legal permanent residents. The White House issues two memoranda focusing on the [immigrant visa system](#) and [integrating immigrants](#).

#### **November 20, 2014: Obama Administration Announces Designation of Temporary Protected Status for Nationals from Ebola-Affected Countries**

Secretary Johnson [announces](#) that nationals from Liberia, Guinea, and Sierra Leone have been designated for Temporary Protected Status (TPS) for 18 months due to the Ebola outbreak in West Africa. The DHS Secretary may declare TPS for certain foreign countries if “conditions in the country that temporarily prevent the country’s nationals from returning safely, or in certain circumstances, where the country is unable to handle the return of its nationals adequately.” TPS is granted to individuals from specifically designated countries who are already in the U.S., regardless of immigration status, meaning those who entered the U.S. illegally or overstayed their visa are eligible. Although TPS is generally granted to nationals of a TPS-designated country, individuals who last resided in the designated country may also qualify. Individuals who are granted TPS (or found preliminarily eligible after an initial review) cannot be removed from the U.S., can be granted travel authorization, and can obtain employment authorization. Once TPS is granted, DHS cannot detain a person based on his or her immigration status.

**November 24, 2014: ICE Issues Agents Five-Point Checklist “For NOT Arresting/Removing Individuals”**

ICE issues a [5-point questionnaire](#) to its agents instructing them when *not* to deport someone under DHS’s expanded deferred action programs. Despite President Obama and Secretary Johnson’s promises that deportation will be handled on a case-by-case basis, the ICE checklist instructs agents to release any individual who meets the criteria.

**November 25, 2014: White House Admits Many Executive Amnesty Recipients Will Be Eligible for Social Security, Medicare, and Other Benefits**

President Obama’s plan to provide amnesty for millions of illegal aliens will also provide federal benefits. In an [e-mail](#) from White House spokesman Shawn Turner to the *Washington Post*, Turner confirms that eligible illegal immigrants will be eligible to receive federal benefits like Social Security, Medicare, and survivor and disability benefits, among others.

**November 25, 2014: HHS Secretary Says Obamacare Enrollees Will Not Be Asked for Immigration Status**

When asked if families with “mixed” immigration status will be eligible for Obamacare, Health and Human Services Secretary Burwell [replies](#) that “everyone should come on, and folks should not be scared. No questions will be asked, and it is not about an immigration issue.” When questioned about DACA recipients, however, Secretary Burwell suggests that they would remain ineligible, though she identifies no enforcement mechanism in the absence of questions about immigration status.

**November 25, 2014: President Obama Admits He Unilaterally “Took Action to Change the Law”**

When questioned at a rally a few days after his executive action, President Obama [admits](#) that he unilaterally changed immigration laws. Prompted by pro-amnesty hecklers, Obama states: “Now, you’re absolutely right that there have been significant numbers of deportations. That’s true. But what you are not paying attention to is the fact that I just took an action to change the law.”

**December 2, 2014: DHS Still Cannot Determine Whether Border Is Secure**

[Testifying](#) before the House Homeland Security Committee, Secretary Johnson acknowledges that DHS still has not come up with metrics to measure border security: “The Border Patrol has metrics and I’ve asked that they improve upon that.”

**December 3, 2014: DHS Announces 1,000 Job Openings, New Office Space in Preparation for Processing of Executive Amnesty**

While simultaneously claiming that deferred action in deporting illegal aliens is primarily due to a lack of resources, USCIS [lists](#) around 1,000 new job openings at an operational center Arlington, Virginia. The primary purpose of these new jobs is to process and carry out the President's November 2014 executive actions. Salaries for these positions are listed as high as \$157,000.

**December 3, 2014: 26 States File Lawsuit Challenging Obama's Executive Amnesty**

Eighteen states [file](#) a lawsuit in the U.S. District Court in the Southern District of Texas challenging the President's unilateral action on immigration. As of February 6, 2015, [26](#) states are parties to the lawsuit. The lawsuit alleges that the President's actions violate his duty under the Constitution's Take Care Clause.

**December 4, 2014: ICE Report Shows 23 Percent Drop in Removals since FY2012; Release of 30,862 Convicted Criminals**

ICE's FY2014 [Enforcement and Removal Operations report](#) reveals that removals fell by over 14 percent as compared to 2013, and 23 percent as compared to 2012.

Furthermore, of the 315,943 illegal immigrants removed from the country, less than one-third were apprehended in the interior. The report also indicates that over 1,000 of those apprehended were from countries known to have links to terrorism, and that more than 30,000 convicted criminals had been released from federal custody.

**December 8, 2014: ICE E-Mails Detail Plans to Drop Questions About Criminal History from Immigration Application**

Internal DHS documents [reveal](#) that immigrants applying for visas as victims of human trafficking or other criminal activity might be exempted from answering questions about their own criminal history. These were key areas targeted for immigration expansion in President Obama's amnesty action, and may serve as loopholes for dangerous criminals seeking to enter the U.S.

**December 9, 2014: President Obama States Illegal Immigrants "Are Not Going to Be Deported"**

President Obama [admits](#) to a group of illegal immigrants that his executive action would serve as *de facto* amnesty for nearly all of the 11 million illegal immigrants currently in the U.S. Obama acknowledges that the vast majority of illegal immigrants in the U.S. are "low priority," and that anyone in the "low priority" range will not be deported. This contradicts his earlier statement that his unilateral actions would affect only around 5 million people.



### **December 9, 2014: USCIS Director Claims Executive Action Meant to Make Illegal Aliens Impossible to Deport Later**

USCIS Director Leon Rodriguez [states](#) that one of the purposes of the executive amnesty is to ensure that future presidents “cannot so easily by fiat now remove those people from the economy.” Rodriguez also suggests that there would be “dire economic consequences” if the federal government sought to deport more illegal aliens, and that this was “one of the major reasons why they haven’t been removed.” This contradicts DHS’s position that the President’s actions are required because DHS lacks adequate resources.

### **December 18, 2014: After Executive Action, Maricopa County Sheriff Joe Arpaio Disbands Illegal Immigration Identity Theft Unit**

Noting that the President’s unlawful executive amnesty will permit many illegal immigrants to work in the U.S., Sheriff Arpaio [disbands](#) his identity theft unit. The unit had raided 83 businesses and charged more than 700 illegal immigrants with using fake or stolen identities.

### **December 19, 2014: DHS Year-End Statistics Reveal Increase in Illegal Immigration, Decrease in Deportations**

According to DHS [data](#) released just before the Christmas holiday, border apprehensions increased 16 percent in FY2014 while deportations from the interior of the U.S. fell by 24 percent. ICE deported only 315,000 immigrants in FY 2014, 45,000 less than 2013 and 95,000 less than 2012. The drop in interior removals was even more drastic as ICE deported only 102,000 illegal immigrants from the interior of the U.S., which is the lowest number of interior removal since 2006.

### **December 19, 2014: Report Reveals 91 Percent of Illegal Immigrants from Border Surge Have Absconded**

According to a [report](#) from local Houston news outlet examining information from the Executive Office for Immigration Review (EOIR), very few illegal immigrants have been repatriated to their home countries. The vast majority—91 percent—have absconded after being released and are no longer a priority under the Administration’s “prosecutorial discretion” policies. Following on this report, the Center for Immigration Studies releases an [analysis](#) that shows:

- The number of family units arriving illegally was larger than the number of UACs during this time period, although the administration, its allies, and the media typically described the surge as an influx of children.
- At least 92 percent of the family unit arrivals in this sample of cases were released after apprehension rather than detained in the border area.

- Nearly all of those released (5,575 out of 6,093 total families and UACs, or 91 percent) subsequently failed to appear at their immigration hearings and are now part of the illegal population.
- According to these figures, 43 percent of those family members classified as “detained” (nine people) also failed to appear for their hearings, suggesting that they actually were released at some point.
- Even under the current very generous interpretations of immigration law, only 3 percent of these illegal aliens were found qualified to stay in the United States (204 out of 6,093 completed cases).
- Only 314 of the 6,093 cases completed (5 percent) were present for their hearing and could actually be removed by authorities after receiving the order from the judge.

#### **December 23, 2014: HHS Seeks Shelter and Childcare Capacity in Preparation for Possible 2015 Border Surge**

The Department of Health and Human Services (HHS) [posts](#) a solicitation for bids in preparation for a surge of unaccompanied minors in 2015. The post seeks to develop contract options for temporary structures to serve as shelters for 100 to 2,500 children as well as “other related services.”

#### **December 24, 2014: DHS Inspector General Report Reveals CBP Drone Program to Be Ineffective**

An [audit](#) by DHS’s Office of the Inspector General (OIG) finds that a drone surveillance system deployed by DHS “has not developed performance measures” and “has also not achieved the expected results. According to the OIG report, CPB drones focused on about 170 miles (less than 10 percent) of the entire U.S. southern border. The OIG estimates that it cost over \$12,000 to support approximately 5,100 drones per hour in the air, compared to CBP’s estimate of approximately \$2,100 per flight hour.

#### **December 29, 2014: Border Patrol Notes Illegal Border Crossers Becoming More Aggressive**

President of the Tucson Border Patrol Local union Art Del Cueto [states](#) in an interview: “In recent years, undocumented immigrants’ aggressiveness has increased and that is something we face when we patrol the desert.”

#### **January 3, 2014: Oversight Report Shows 700 Miles of Southern Border Remain Unprotected**

The final oversight [report](#) issued by then-Senate Homeland Security and Governmental Affairs Committee Ranking Member Tom Coburn reveals that 700 miles of the Southern border remain unsecured. The report further reveals that only 3 percent of illegal

immigrants will ever be deported and that there is “little or no border security coverage for thousands of miles” of the northern U.S. border.

### **January 5, 2015: Administration Announces 18-Month Redesignation of Temporary Protected Status for Syria**

Secretary Johnson [announces](#) that the administration is re-designating Syria for Temporary Protected Status (TPS), extending the current designation from April 1, 2015, to September 30, 2016. The redesignation will allow eligible Syrian nationals (or those who last habitually resided in Syria) to register for TPS for the first time and the extension will allow current beneficiaries to extend their TPS. The DHS Secretary may declare TPS for certain foreign countries if “conditions in the country that temporarily prevent the country’s nationals from returning safely, or in certain circumstances, where the country is unable to handle the return of its nationals adequately.” TPS is granted to individuals who are already in the U.S., regardless of immigration status, meaning those who entered the U.S. illegally or overstayed their visa are eligible. Although TPS is generally granted to nationals of a TPS-designated country, individuals who last resided in the designated country may also qualify. Individuals who are granted TPS (or found preliminarily eligible after an initial review) cannot be removed from the U.S., can be granted travel authorization, and can obtain employment authorization. Once TPS is granted, DHS cannot detain a person based on his or her immigration status.

### **January 6, 2015: Over 1,000 Illegal Immigrants from Countries with Terrorism Ties Apprehended in FY2014**

According to CBP [data](#), agents apprehended 1,191 individuals from 12 of the 14 countries that the Departments of Homeland Security and State have designated as state sponsors of terror or “countries of interest,” which are countries designated by the government to have terrorist links. The 12 countries are Iran, Sudan, Cuba, and Syria (state sponsors of terror), and Afghanistan, Algeria, Lebanon, Libya, Nigeria, Iraq, Pakistan, Saudi Arabia, Somalia, and Yemen (“countries of interest”).

### **January 7, 2015: Obama Administration Extends Temporary Protected Status for El Salvador**

Secretary Johnson [extends](#) the Temporary Protected Status (TPS) for El Salvadoran nationals for an additional 18 months, effective March 10, 2015, through Sept. 9, 2016. TPS for El Salvador was initially granted on March 9, 2001. The DHS Secretary may declare TPS for certain foreign countries if “conditions in the country that temporarily prevent the country’s nationals from returning safely, or in certain circumstances, where the country is unable to handle the return of its nationals adequately.” TPS is granted to individuals from specifically designated countries who are already in the U.S.,

regardless of immigration status, meaning those who entered the U.S. illegally or overstayed their visa are eligible. Although TPS is generally granted to nationals of a TPS-designated country, individuals who last resided in the designated country may also qualify. Individuals who are granted TPS (or found preliminarily eligible after an initial review) cannot be removed from the U.S., can be granted travel authorization, and can obtain employment authorization. Once TPS is granted, DHS cannot detain a person based on his or her immigration status.

#### **January 8, 2015: CBP Reports Increase in Aliens Attempting to Enter U.S. with False Papers**

According to [reports](#), there was a 25 percent increase in “inadmissibles,” or, people that were denied entry or detained at Texas ports of entry in FY2014. CBP notes that most of those were attempting to use fraudulent documents or documents that belonged to someone else.

#### **January 11, 2015: After President’s Executive Action, Border Patrol Agents Instructed Not to Focus on Majority of Illegal Immigrants in U.S.**

Leaked CBP training [documents](#) reveal that Border Patrol agents have been ordered not to enforce immigration laws against the vast majority of illegal immigrants in the U.S. The guidance is meant to inform CBP employees about the changes that the President’s executive will have on DHS’s enforcement priorities. Each agent involved in implementing the President’s executive actions will be required to undergo additional training.

#### **January 13, 2015: President Obama Unilaterally Establishes Diplomatic Relations with Cuba, Resulting in Immigrant Surge**

After President Obama unilaterally establishes diplomatic relations with Cuba, there is a dramatic increase in the number of Cubans attempting to enter the U.S. According to the [Washington Times](#), records shared with Congress show that “the Coast Guard interdicted more than 340 Cubans in the final two weeks of December, more than double the 140 who came in the first half of the month” prior to the President’s announcement. 144 Cubans were apprehended in the first week of January 2015. Other [reports](#) note that the policy changes will require major changes to border security strategies.

#### **January 14, 2015: Mexican Government Announces It Will Provide Illegal Immigrants in U.S. with Birth Certificates**

The Mexican government [announces](#) it will start issuing birth certificates to its citizens at consulates in the U.S. to make it easier for them to apply for work permits, driver’s

licenses, and executive amnesty. Jessica Vaughan with the Center for Immigration Studies notes that such actions facilitate remittances to Mexico.

#### **January 15, 2015: Justice Department Sues Employer for Attempting to Ensure a Legal Workforce**

The Justice Department announces a [settlement](#) with U.S. Service Industries (USSI), which was alleged to have violated the INA by discriminating against work-authorized individuals who are not U.S. citizens by requiring those individuals to produce documents issued by DHS as a condition of employment. Under the settlement agreement, USSI will pay \$132,000 in civil penalties, undergo training on the anti-discrimination provisions of the INA, establish a \$50,000 back pay fund to “compensate any workers who may have lost wages,” revise its employment eligibility verification policies, and be subject to federal government monitoring for two years.

#### **January 15, 2015: CBO Confirms Illegal Immigrants Granted Executive Amnesty Eligible for Federal Benefits**

CBO releases a [report](#) finding that by 2017, two million additional illegal immigrants will be eligible for federal benefits under the Obama Administration’s executive amnesty plan. The report states that, over the next 10 years, the amnesty will cost over \$10.2 billion in Earned Income Tax Credit and Child Tax Credit payouts; \$1.8 billion in Medicare, Medicaid, and Obamacare subsidies; \$1 billion in SSI; and \$800 million in SNAP. CBO warns that long-term “federal spending would increase significantly,” with costs for Social Security and Medicare becoming much greater outside of the 10-year budget window analyzed in the agency’s report—the time period during which newly amnestied individuals would begin paying payroll taxes but not yet claiming benefits. In a December 1, 2014, *Investor’s Business Daily* [article](#), Merrill Matthews, resident scholar with the Institute for Policy Innovation in Dallas, and Mark E. Litow, retired actuary and past chairman of the Social Insurance Public Finance Section of the Society of Actuaries, conclude similarly that while the government will receive about \$500 billion in payroll tax revenue as a result of the amnesty, it will pay out some \$2 trillion in Social Security and Medicare benefits over several decades.

#### **January 28, 2015: Obama Administration Orders Agents to Find Illegal Immigrants Eligible for Executive Amnesty**

The [Associated Press](#) reports that internal DHS training documents direct immigration agents to ask illegal immigrants they encounter whether they might qualify for executive amnesty and to review government files to identify any jailed illegal immigrants who might be eligible for release under the program.

**January 30, 2015: USCIS Announces It Will Begin Accepting Requests for Expanded DACA on February 18, 2015 Pursuant to Executive Amnesty**

USCIS [announces](#) that it will begin accepting requests for expanded DACA on February 18, 2015, pursuant to the President's executive amnesty. Under the new guidelines, people of any current age who entered the country before age 16 and have lived in the U.S. since January 1, 2010, may now apply.

**January 30, 2015: 1,000 Criminal Aliens Released by ICE in FY2013 Re-Offend**

According to a 38-page DHS [document](#) provided to Senate Judiciary Chairman Chuck Grassley, of the 36,007 criminal aliens released from ICE custody in FY2013, 1,000 have since been convicted of new crimes, including: assault with a deadly weapon; terroristic threats; failure to register as a sex offender; lewd acts with a child under 14; aggravated assault; robbery; hit and run; criminal street gang activity; rape of spouse by force; and child cruelty involving possible injury/death.

**February 2, 2015: Government Data Reveals Obama Administration Issued 7.4 Million Work Permits Since 2009 In Excess of Established Levels**

A Freedom of Information Act request filed by the Center for Immigration Studies [unearths](#) government data revealing that the Obama Administration issued more than 7.4 million work permits to aliens from 2009 to 2014, beyond that which is authorized by statute. That includes 4.7 million new Employment Authorization Documents (EADs) and 2.7 million renewals of expired EADs. According to the published data, this includes 2.2 million EADs for unlawful entrants or those unqualified for admission, 547,000 individuals here on tourist visas, 593,000 foreign students who are supposed to be subject to strict restrictions, and 37,000 individuals who arrived through the Visa Waiver Program. Crucially, these EADs are in addition to and beyond the existing annual grant of approximately 1 million permanent residency or green cards to mostly lesser-skilled legal immigrants and 700,000 foreign guest workers.

**February 4, 2015: Former USCIS Official Testifies Executive Amnesty Could Overwhelm Agency**

The former deputy ombudsman for USCIS, Luke Bellocchi, [testifies](#) before the Senate Homeland Security and Governmental Affairs Committee that it is "hard to imagine" that USCIS can handle the increase in new applications from the President's executive amnesty. Bellocchi testified that USCIS's processing system is paper-based and will likely have to divert resources from other immigration applications to handle the executive amnesty.

**February 6, 2015: DHS Announces Hotlines for Illegal Immigrants to Lodge Complaints Against Immigration Enforcement Officers Who "Violate" New Amnesty Policy**

CBP [announces](#) a hotline for illegal immigrants “wishing to submit a formal complaint pertaining to an encounter with a Customs and Border Protection Officer or Border Patrol Agent.” Prior to the announcement, DHS had [alerted](#) “stakeholders” of three such hotlines for CBP, ICE, and USCIS. Vice President of the National Border Patrol Council Shawn Moran [responds](#), stating “[i]nstead of supporting our agents, this administration has decided it is more important to find new ways to solicit complaints and invite ridicule against them. We demand that this administration spend more time defending the men and women defending our nation and less time promoting the extreme agendas of pro-illegal-immigration organizations.” Moran suggests DHS set up a complaint line for agents to register concerns regarding the Obama Administration’s failure to enforce the law.

#### **February 13, 2015: House Judiciary Chairman Reveals Administration Granting DACA Recipients a Pathway to Citizenship**

House Judiciary Chairman Bob Goodlatte [sends](#) a letter to Secretary Johnson regarding the Administration’s announcement on a call with Congressional offices that it will permit illegal immigrants to simultaneously apply for both DACA and advance parole. Advance parole allows illegal immigrants to re-enter the United States after leaving the country, at which point they may be eligible to adjust their immigration status and be placed on a pathway to citizenship.